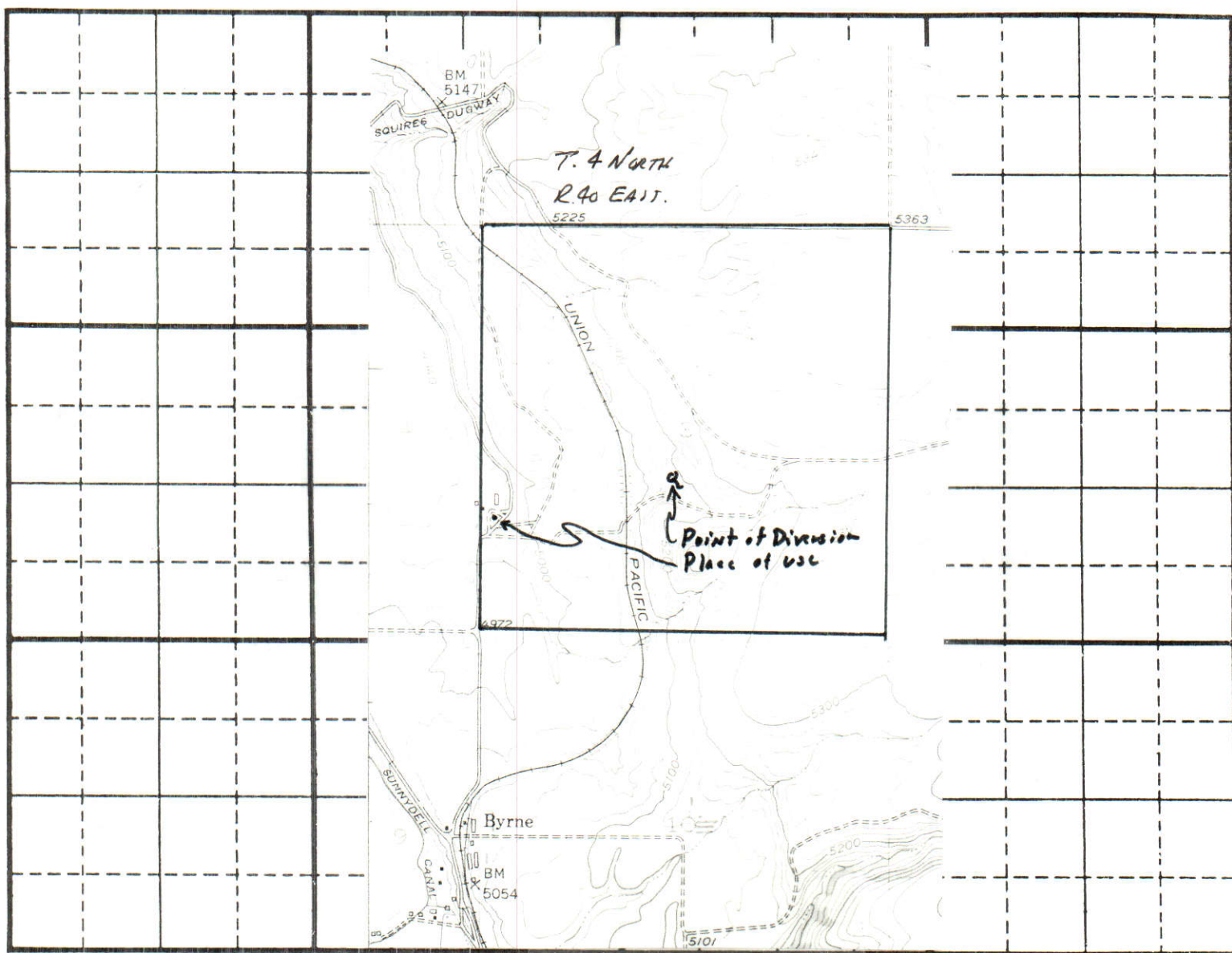


MICROFILMED

(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 Donneville) 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)

Colleen Gray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by Jim Date 6-28-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 9-8-1983 claimant by: _____
\$30.00 fee received by CW Date 6-28-83
Published in Standard Journal #25607
Dates 11/3 - 11/10/83

86 4122

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

DEC 1 1983

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 November 3, 1983
and the last publication having been made

on November 10, 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.

NOTICE OF CLAIMS
TO WATER RIGHTS

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

22-4155

BYRNE, J.R.

RT. 3, BOX 227, REXBURG, ID 83440

Source: SPRING trib. to SINKS

Priority Date: 03/01/1890

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

Use: STOCKWATER (0.02 CFS),
DOMESTIC (0.04 CFS)

In: NESW NWSW Sec 03 T 04N 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. Nov. 3 and 10, 1983J

Subscribed to and sworn to before me

this November 11, 1983

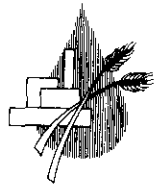
Jeri Garner
(SEAL) Notary Public.

My commission expires Life

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.R. Byrne

Rt.3, Box 227 Rexburg, ID 83440 Telephone No. 356-6176
(Mailing Address) (Name of Claimant) (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) March 1890

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 tributary to Sinks

(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 .02	Use Stock	Period of Use From 1-1	To 12-31
Quantity .04	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) .06 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. 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.
pipe to single family house.

(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									X	X							

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwater 30 head horses, 12 head of dairy cows.

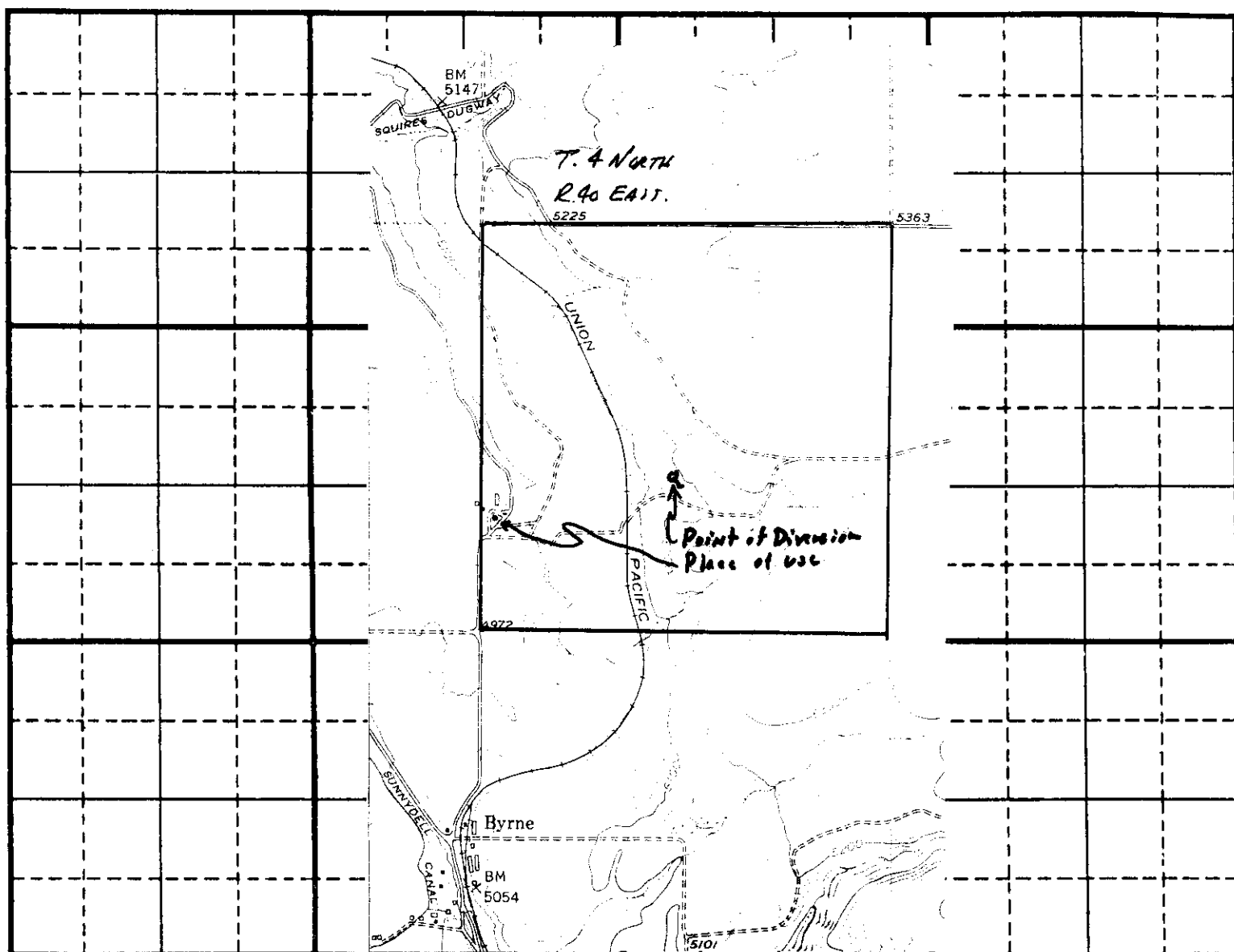
NOTE: Include here the type and number of stock watered: 30 horses and 12 milk cows

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

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MICROFILMED

(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)

William Wray
 Notary Public
 Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY			
Received by <u>Jm</u>	Date <u>6-28-83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>SM</u>	Date <u>9-8-1983</u>		claimant by:
\$30.00 fee received by <u>CW</u>	Date <u>6-28-83</u>		
Published in <u>Standard Journal #25607</u>			
Dates <u>11/3 - 11/10/83</u>			

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED
DEC 1 1983
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
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consecutive issues, the first publication hav-

ing been made on November 3, 1983
and the last publication having been made

on November 10, 1983.

Further, that said newspaper is one of
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specifications under the Idaho Statutes; that
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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.



Bruce Porter
~~~~~

Subscribed to and sworn to before me

this November 11, 1983

*Jeri Garner*  
Notary Public.

(SEAL)

My commission expires Life

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

NOVEMBER 21, 1983

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

ID 83440

RE: Claim No. 22-4155

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**

November 28, 1983

RE: Claim to a Water Right No. 22-4155 BYRNE

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 November 3 and 11, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

**MACRO** 11/28/83

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 22 4155 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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Nov. 15, 1983

Nov. 21, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Ac Date 12-13-83

**MICROFILMED**

*aw*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

OCTOBER 26, 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 billings to this office before NOVEMBER 21, 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 11/3 & 11/10/83.

**MICROFILMED**

22-4155

BYRNE, J.R.

RT. 3, BOX 227, REXBURG, ID 83440

Source. SPRING trib. to SINKS

Priority Date. 03/01/1890

Diversion Pt. NESW Sec 03 T 04N R 40E

|                 |            |
|-----------------|------------|
| Use. STOCKWATER | (0.02 CFS) |
| DOMESTIC        | (0.04 CFS) |

In. NESW NWSW Sec 03 T 04N R 40E

UNRECORDED