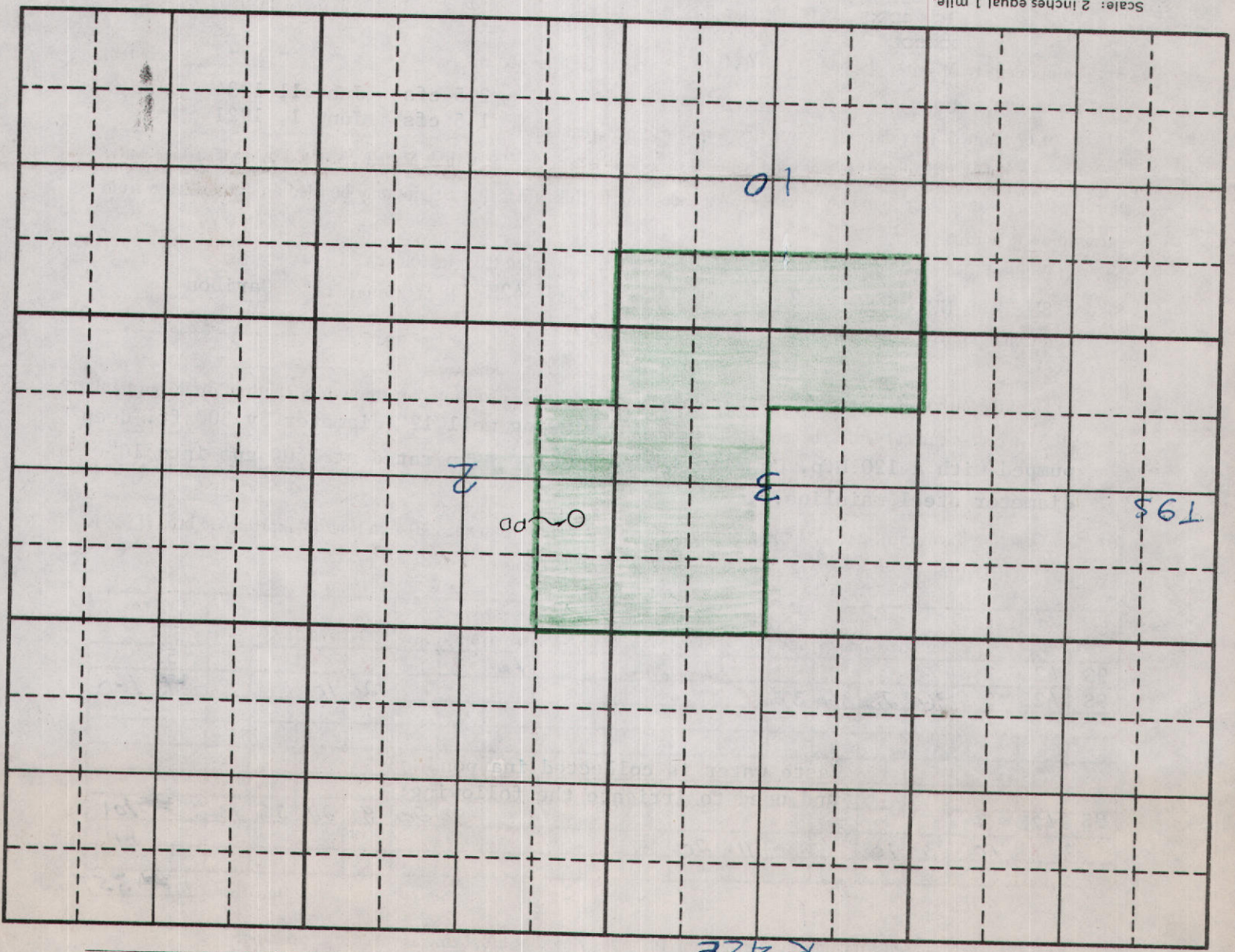


11-40410

(8) Remarks Well drilled by Mr. Dalton, address unknown.

See attached affidavits.

R 42E



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 Franklin
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 May

John S. Beebe
(Claimant)
1974
Notary Public
Shirley S. Dalton
Residing at Boada Springs, Idaho
My commission expires 1-5-75

For Department Use Only

Received by MB Date 5-29-74
Prelim. check by RDC Date 5/29/74
\$10.00 fee received by MB Date 5-29-74
Approved for publication by MB Date 5-29-74 #12900
Published in The Franklin County News June 6 + 13, 1974
Dates

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

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 Lynn G. Beus (name of claimant)
of Soda Springs, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to - - - - -;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water

- (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>4.0</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>June 1</u>	To	<u>Sept. 30</u>
Amount	<u>0.05</u>	Use	<u>Stockwater</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm, or a/d)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 4.0 cubic feet per second, or - - - acre feet
per annum, and/or 2.5 cfs gallons per minute. June 1, 1934

- (4) Priority claimed: (the date water was first applied to beneficial use) 1.5 cfs June 1, 1921

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 NW ¼, Sec. 2 Twp. 9S Rge. 42E B. M. County of Caribou
 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. Flowing well 12" diameter by 300 ft. deep pumped with a 120 h.p. Cummins diesel powered pump rated at 1600 gpm into 10" diameter steel mainline.

- (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]

Total No. of acres ~~254~~ 357

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwatering for 1000 head of sheep.

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

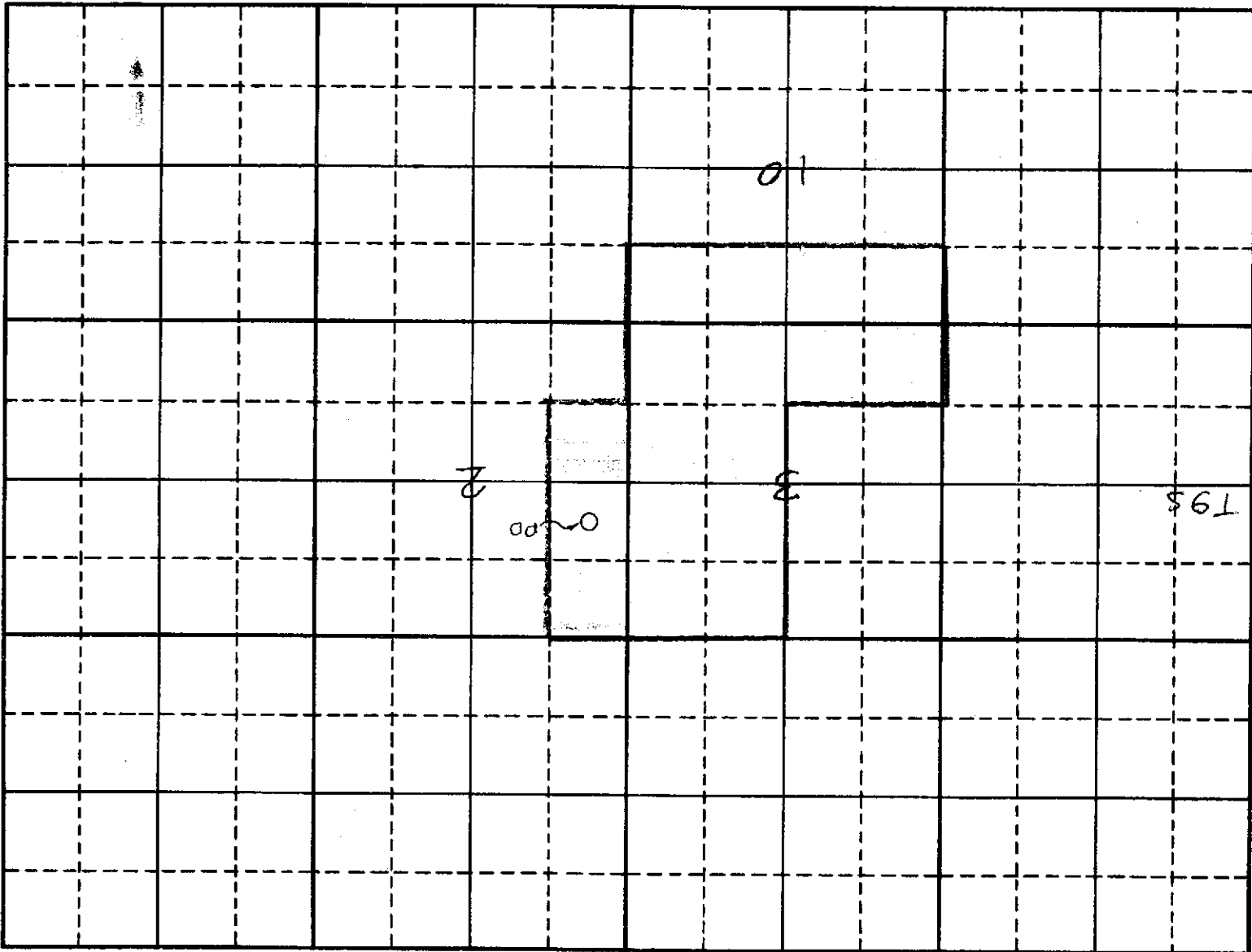
11-4040

11-4047

(8) Remarks Well drilled by Mr. Dalton, address unknown.

See attached affidavits.

R 42E



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 Boone
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 May

My commission expires 1-5-75
Notary Public Charles S. Dalton
Residing at Frank Springs, Idaho
(Claimant) May 1974

For Department Use Only

Received by M6 Date 5-29-74 Prelim. check by RDC Date 5/29/74 \$10.00 fee received by M6 Date 5-29-74 Approved for publication by 126 6/10/74 #1290 Published in The Clearwater County News Dates June 6 & 13, 1974

Exception filed by: _____ Forwarded to _____ Date _____
claimant by: _____

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

Signed J. E. Thompson
resident of Caribou
County 65 years.

11-4040

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

Signed *J. W. Tarasce*
resident of Caribou
County 54 years.

RECEIVED

MAY 17 1974

Department of Water Administration
Eastern District Office

174040

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

Signed

Therette C. Sizemore
resident of Caribou
County 55 years.

RECEIVED

MAY 17 1974

Department of Water Administration
Eastern District Office

11-4040

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

6th day of
June, 19 74.

The date of the last publication

being the 13th day of
June, 19 74.

V. E. Lansberry
Subscribed and sworn to be-

fore me this 13th day
of June, 19 74

Clair S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November
19 74.

NOTICE OF CLAIM TO A WATER RIGHT No. 11-4040

Notice is hereby given that
Lynn G. Beus, Soda Springs,
Idaho, has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 4.0 cubic feet per
second of water from a ground-
water source with point of di-
version in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
2, T. 9S, R. 42E, B.M., Caribou
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
stockwatering purposes for 1000
head of sheep and from June 1
to Sept. 30 for the irrigation of
357 acres, with a priority of
June 1, 1934 for 2.5 c.f.s and
June 1, 1921 for 1.5 c.f.s.; all
uses within the W $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, NE $\frac{1}{4}$,
NE $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, T9S, R. 42E,
B.M. and waste water is col-
lected in a pond and used to ir-
rigate the following acres:
S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 9S, R.
42E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Administration, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON,
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
June 6 and June 13, 1974.

11-4040

01 WATER RIGHT NUMBER - 11-4040 02 OLD (D) NUMBER -

03001 - REUS LAST NAME 04001 - LYNN G. FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 - 07 ADD LINE 2 -

08 ADD LINE 3 - 09 CITY - SODA SPRINGS 10 STATE - ID 11 ZIP - 832760000

12 STAGE - S STATUTORY CLAIM 13 STATUS -

SOURCE 14001 - GROUNDWATER 15001 - TRIBUTARY OF 14002 - WASTE WATER 15002 -

16 DIVERSION REAS - 17 COUNTY - 29 CARIBOU

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - 4.000 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	STREAK	INDEX	FIELDS
22001 - SWNW	23001 - 02	24001 - 09S	25001 - 42E	26001 -	27001 -			
				28001 -	0	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/1000 SHEEP.

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 09S	32001 - 42E	33001 - 10	34001 -	WENE	35001 - 03	36001 -
30002 - 01 IRRIGATION	31002 - 09S	32002 - 42E	33002 - 10	34002 -	WENE	35002 - 10	36002 -
30003 - 01 IRRIGATION	31003 - 09S	32003 - 42E	33003 - 10	34003 -	WENE	35003 - 11	36003 -
30004 - 01 IRRIGATION	31004 - 09S	32004 - 42E	33004 - 10	34004 -	WENE	35004 - 20	36004 -
30005 - 01 IRRIGATION	31005 - 09S	32005 - 42E	33005 - 03	34005 -	WENE	35005 - 36	36005 -
30006 - 01 IRRIGATION	31006 - 09S	32006 - 42E	33006 - 03	34006 -	WENE	35006 - 28	36006 -
30007 - 01 IRRIGATION	31007 - 09S	32007 - 42E	33007 - 03	34007 -	WENE	35007 - 36	36007 -
30008 - 01 IRRIGATION	31008 - 09S	32008 - 42E	33008 - 03	34008 -	WENE	35008 - 38	36008 -
30009 - 01 IRRIGATION	31009 - 09S	32009 - 42E	33009 - 03	34009 -	WENE	35009 - 03	36009 -
30010 - 01 IRRIGATION	31010 - 09S	32010 - 42E	33010 - 03	34010 -	WENE	35010 - 20	36010 -
30011 - 01 IRRIGATION	31011 - 09S	32011 - 42E	33011 - 03	34011 -	WENE	35011 - 20	36011 -
30012 - 01 IRRIGATION	31012 - 09S	32012 - 42E	33012 - 03	34012 -	WENE	35012 - 32	36012 -
30013 - 01 IRRIGATION	31013 - 09S	32013 - 42E	33013 - 02	34013 -	WENE	35013 - 22	36013 -
30014 - 01 IRRIGATION	31014 - 09S	32014 - 42E	33014 - 02	34014 -	WENE	35014 - 06	36014 -
30015 - 01 IRRIGATION	31015 - 09S	32015 - 42E	33015 - 03	34015 -	WENE	35015 - 35	36015 -
30016 - 01 IRRIGATION	31016 - 09S	32016 - 42E	33016 - 03	34016 -	WENE	35016 - 13	36016 -
30017 - 01 IRRIGATION	31017 - 09S	32017 - 42E	33017 - 02	34017 -	WENE	35017 - 24	36017 -
TOTAL ACRES: 357							

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0601	38001 - 0930	39001 - 01 IRRIGATION	40001 -	4.000	41001 -
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER	40002 -	0.050	41002 -

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PBOOF READING REPORT

42. FEDERAL PLANTIFF NAME -

43 DECREE DEFENDANT NAME -

REFRAPS

24001 - PRIORITY DATES FOR THIS RT: 6/1/1934 - 2.5 CFS & 6/1/1921 -
44002 - 1.5 CFS.

APPROVAL CONDITIONS: 45001 -

3/20/86
VERIFIED JKN

46 OTHER RIGHTS FOR SAME USE -

	PRIORITY	DATES	LICENSE	DATES	F L A G S
47	PRIORITY	-	55	-	-
48	PROOF DUE	- 1-JUN-1921	56	APPL RECEIVED	-
49	PROOF MADE	-	57	FIELD EXAM MADE	-
50	APPROVE/DENIED	-	58	DECREE	-
51	POSTESTED	-	59	START WORK	-
52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	- 18-MAR-1986	62	DATE_2	-
			63	TRANSFER/AMENDED	-
			64	DLE/CAREY ACT	-
			65	FLAG_1	-
			66	FLAG_2	-
			67	FLAG_3	-

IDENT. NO. 11-4040

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

Old No. _____

New No. _____

11-4040

Record

1. Original Owner: Lynn H. Bous

Present Owner: _____

2. Address: _____

3. City: Soda Springs State: ID Zip: _____4. A. Source of Water: GW & Waste Water

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): J

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 6-1-1921D. County: 29E. Total Diversion Rate: 4.

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWNW</u>	<u>2</u>	<u>98</u>	<u>42E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 6-1 to 9-30 for A purposes. Amount 4.
(cfs or ~~AG-FT~~/yr)from 1-1 to 12-31 for J purposes. Amount .05

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use code: *H*

10. Remarks: A.
B.
C.
D.
E.

12. Other Rights for Same Use:

G. Field Exam Made (P, R, F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

June 24, 1974

Re: Claims to a Water Right No. 11-4039 & 11-4040

Mr. Lynn G. Beus
Soda Springs
Idaho 83276

Dear Mr. Beus:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of these claims do not, in themselves, guarantee you water rights; they only record and preserve the information and the evidence which you included in your claims.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. If you have any questions of if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enc: Copies of Claims

11-4040

May 31, 1974

Re: Claim to a Water Right No. 11-4039 Beus, Lynn
" " " " No. 11-4040 Beus, Lynn
Application for Transfer of Water Right No. 11-0044 Beus, Orval

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 6-19-74 by MB

NCY:MB

Enc: Legal Notices (3)

11-4040

NOTICE OF CLAIM TO A

WATER RIGHT

No. 11-4040

Notice is hereby given that

Lynn G. Beus, Soda Springs, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 4.0 cubic feet per second of water from a groundwater source with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M., Caribou County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation of 357 acres, with a priority of June 1, 1934 for 2.5 c.f.s. and June 1, 1921 for 1.5 c.f.s.; all uses within the W $\frac{1}{2}$ NW $\frac{1}{4}$, N W $\frac{1}{4}$ S W $\frac{1}{4}$, Sec. 2, NE $\frac{1}{4}$, NW $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, T9S, R. 42E, B.M. and waste water is collected in a pond and used to irrigate the following acres: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, NW $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 9S, R. 42E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON,

Director

Published in the Caribou County Sun, Soda Springs, Idaho, on June 6 and June 13, 1974.

11-4040

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4040

Notice is hereby given that Lynn G. Beus,

Soda Springs, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 4.0 cubic feet per second ~~4000 CFS PER SECOND~~ of water from a ground-water source

with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M., Caribou County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation ~~with a priority of~~ of 357 acres, with a priority of June 1, 1934 for 2.5 c.f.s. and June 1, 1921 for 1.5 c.f.s.; all uses within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 42E, B.M. and waste water is collected in a pond and used to irrigate the following acres: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 9S, R. 42E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on June 6 and June 13, 1974

NCY-JF - 5/31/74

11-4040

May 29, 1974

Mr. Lynn G. Beus
Soda Springs
Idaho 83267

Dear Mr. Beus:

Attached herewith is departmental receipt No. 12900 in the amount of \$20.00 for the Claim to a Water Right forms which were submitted to this office under the above date.

If you have any questions, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Attachment

11-4040