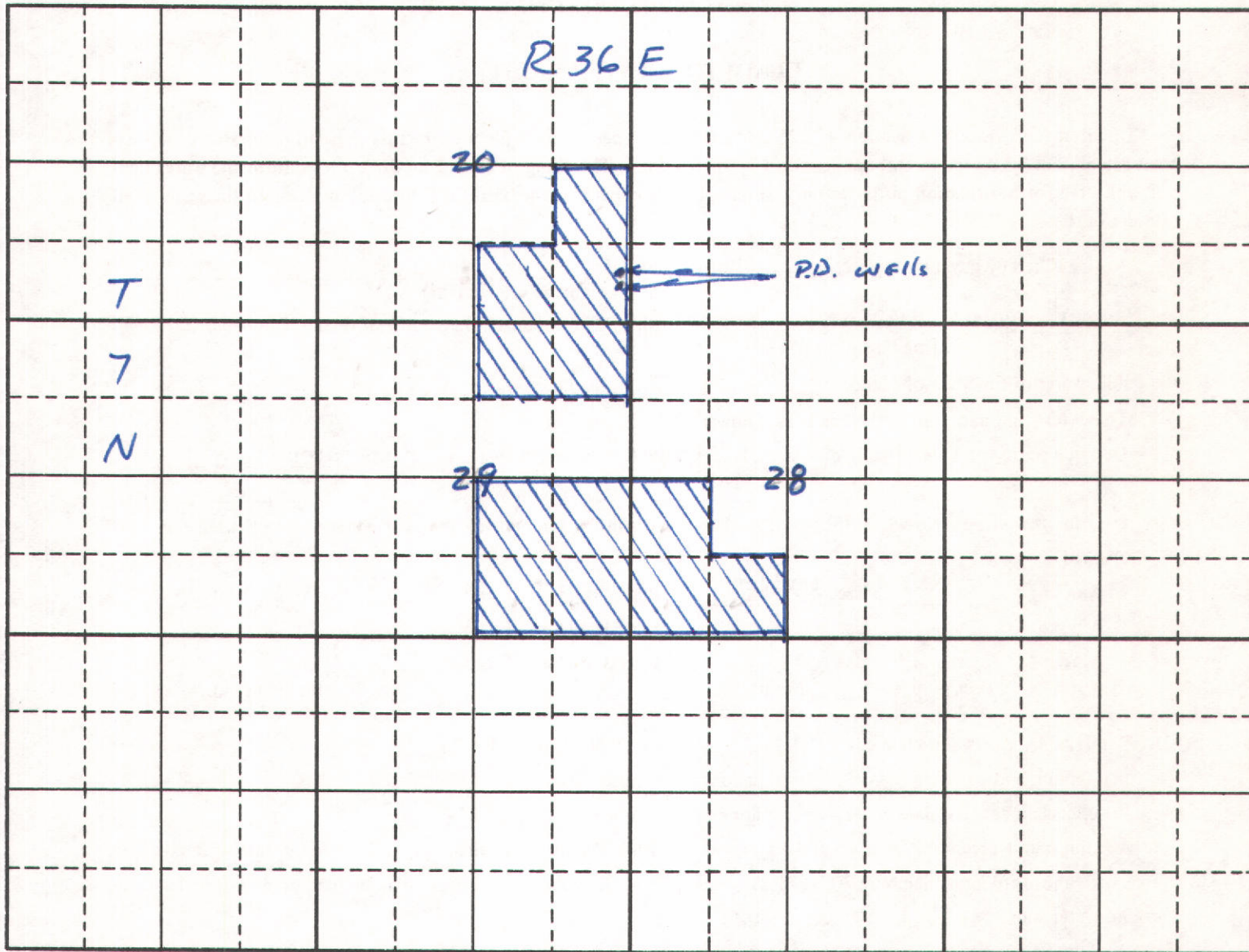


(8) Remarks _____



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)
) ss.
County of BONNEVILLE)

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 affiants knowledge.

Sworn to before me this 16th day of JUNE, 1976.

Eyle R. Schuyler
(Claimant)

Ronald D. Carson
Notary Public
Residing at IDAHO FALLS, IDAHO

My commission expires 2/19/78

For Department Use Only

Received by <u>CW</u>	Date <u>6-16-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Lag</u>	Date <u>6/16/76</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>6-16-76</u>			
Approved for publication by <u>me</u>	<u>7-20-76</u>	<u>#2434</u>		
Published in <u>Right Star</u>				
Dates <u>June 24th + July 1, 1976</u>				

RECEIVED

JUL 20 1976

Department of Water Resources
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Larry D. Anderson, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
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

Twenty-fourth day of June, 19 76

and the last publication on the

First day of July, 19 76

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Larry D. Anderson
Publisher

Subscribed in my presence and sworn to before me this nineteenth
day of July, 19 76.
[SEAL]

Marion Phillips
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires non-expiring, 19 76

Publication Fee: \$ 11.06

Legal Notice

NOTICE OF CLAIM
TO WATER RIGHT

No. 31-4017

NOTICE IS HEREBY
GIVEN that Lyle R. Shupe,
Hamer, Idaho has filed a
claim to a water right es-
tablished by diversion and
application to beneficial use
of 6.80 cubic feet per second
of water from ground-water
sources with point of diver-
sion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2
points), Sec. 20, T. 7N, R.
36E, B.M., Jefferson
County.

The water is claimed to be
used from April 1 to Novem-
ber 1 for the irrigation of 480
acres with a priority of May,
1937; the place of use is
within the E $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 29,
T. 7N, R. 36E, B.M.

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

R. Keith Higginson
Director

Publish: June 24, and July 1,
1976.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 Lyle R. Shupe (name of claimant)
of Hamer, Idaho 83425, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater
_____, tributary to, _____
- (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>6.8</u> | Use | <u>irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 6.8 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May, 1937

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)
(2 pt.) SE ¼ SE ¼, Sec. 20 Twp. 7N Rge. 36E B. M. County of Jefferson
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. well, pump and ditches

- (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.

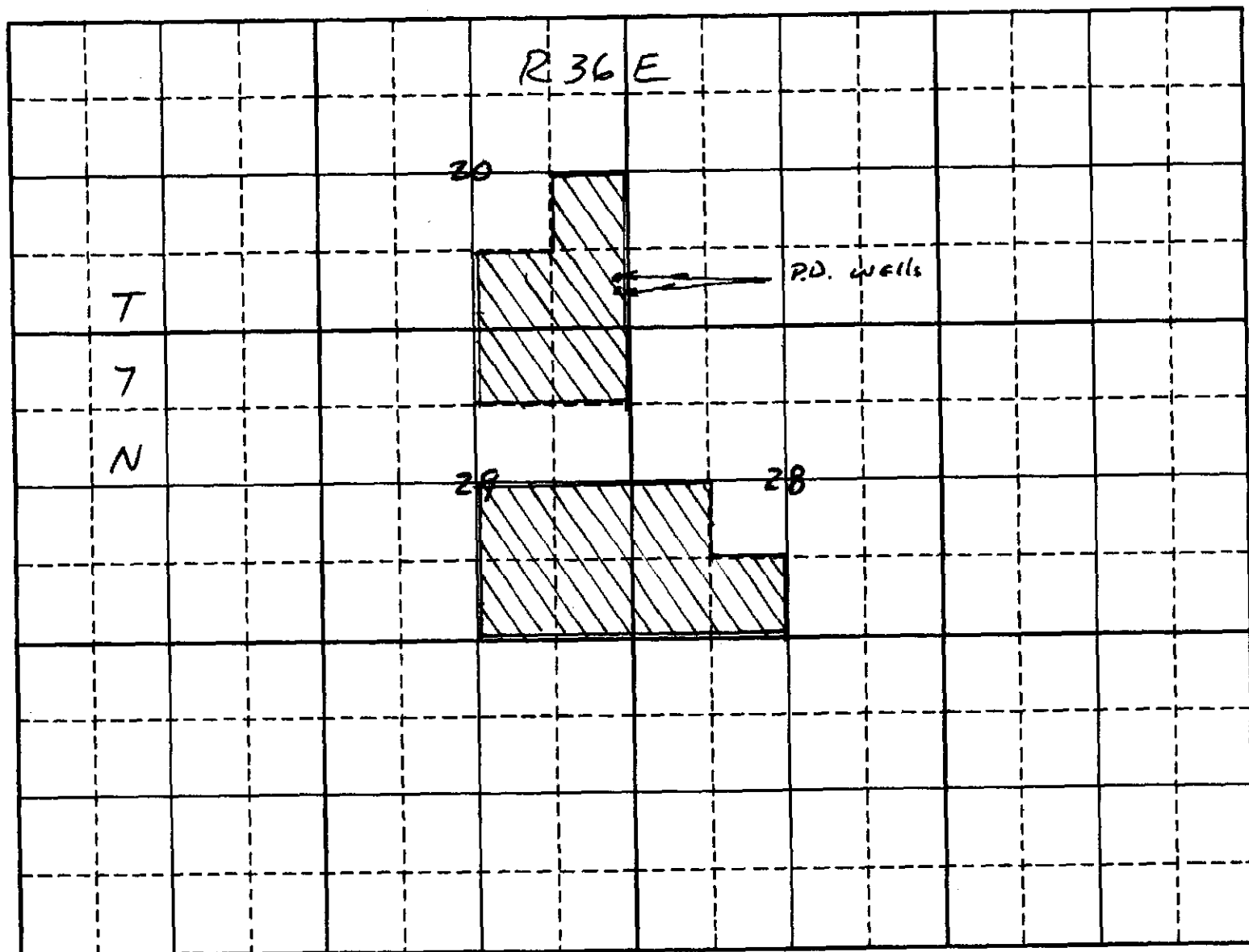
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	36E	20													40		40	40	120
		28									40	40	40						120
		29	40	40											40	40	40	40	240

Total No. of acres 480

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

- (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)
) ss.
County of BONNEVILLE)

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 affiants knowledge.

Sworn to before me this 16th day of JUNE, 1976.
Eyle R. D. Shup
(Claimant)

Notary Public

Residing at IDAHO FALLS, IDAHO

My commission expires 2/19/78

For Department Use Only

Received by <u>Am</u>	Date <u>6-16-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Ray</u>	Date <u>6/16/76</u>		claimant by:	
\$10.00 fee received by <u>Am</u>	Date <u>6-16-76</u>			
Approved for publication by <u>me</u>	Date <u>7-20-76</u>			
Published in <u>Idaho Star</u>				
Dates <u>June 22 to July 1, 1976</u>				

RECEIVED

JUL 20 1976

Department of Water Resources
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Larry D. Anderson, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

Legal Notice

**NOTICE OF CLAIM
TO WATER RIGHT**

No. 31-4017

NOTICE IS HEREBY
GIVEN that Lyte R. Shupe,
Hammer, Idaho has filed a
claim to a water right es-
tablished by diversion and
application to beneficial use
of 6.80 cubic feet per second
of water from ground-water
sources with point of diver-
sion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2
points), Sec. 20, T. 7N, R.
36E, B.M., Jefferson
County.

The water is claimed to be
used from April 1 to Novem-
ber 1 for the irrigation of 480
acres with a priority of May,
1937; the place of use is
within the E $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 29,
T. 7N, R. 36E, B.M.

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

R. Keith Higginson
Director

Publish: June 24, and July 1,
1976.

And affiant further says that at the times herein mentioned said
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

Twenty-fourth day of June, 19 76

and the last publication on the

First day of July, 19 76

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Larry D. Anderson
Publisher

Subscribed in my presence and sworn to before me this nineteenth
day of July, 19 76.
[SEAL]

Meriam Phillips
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires non-expiring, 19 76

Publication Fee: \$ 11.06

July 22, 1976

RE: Claim to a Water Right No. 31-4017

Lyle R. Shupe
Hamer,
Idaho 83425

Dear Mr. Shupe:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim 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 your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

July 12, 1976

RE: Claim to a Water Right No. 31-4017 Shupe
" " " No. 31-4018 Shupe

The Rigby Star
P.O. Box 37
Rigby, Idaho 83442

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on June 24 and July 1, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

EDC:CW

cc: IDWR - State Office

*Called
7-19-76
CW*

June 17, 1976

RE: Claim to a Water Right No. 31-4017 SHUPE
" " " No. 31-4018 SHUPE

The Rigby Star
P.O. Box 37
Rigby, Idaho 83442

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,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted

7-20-76

by cl

RDC:CW

Enc: Legal Notice (2)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 31-4017

Notice is hereby given that Lyle R. Shupe,

Hamer, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 6.80 cubic feet per second ~~1000 feet per second~~
of water from ground-water sources

with point of diversion in the SE¹/₄ SE¹/₄ (2 points), Sec. 20, T. 7N, R. 36E,
B.M., Jefferson County

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation
of 480 acres

with a priority of May, 1937;

the place of use is within the E¹/₂ SE¹/₄, SW¹/₄ SE¹/₄, Sec. 20, W¹/₂ SW¹/₄, SE¹/₄ SW¹/₄,
Sec. 28, N¹/₂ NE¹/₄, SE¹/₄, Sec. 29, T. 7N, R. 36E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on June 24 and July 1, 1976

*me. h.
me. c.*