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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.

Sworn to before me this 19th day of MAY

(Claimant)

, 19 76

Notary Public

Residing at IDAHO FALLS, IDAHO

My commission expires 2/14/78

Received by ME Date 5-14-76
Prelim. check by ~~ME~~ Date 5-14-76
\$10.00 fee received by ME Date 5-14-76
Approved for publication by me 6-25-76 #2410
Published in Kiduf Shalom
Dates May 27, June 3, 1976

Exception filed by:

Forwarded to
claimant by:

Date _____

Affidavit of Publication

THE RIGBY STAR

RECEIVED
JUN 24 1976

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

ss

I, Larry D. Anderson
Publisher, do solemnly swear that I am the
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-seventh day of May, 19 76

and the last publication on the

Third day of June, 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 twenty third
day of June, 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

Publication Fee: \$ 14.80

Legal Notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 31-4016

NOTICE IS HEREBY
GIVEN that Don R. Bybee,
Hamer, Idaho has filed a
claim to a water right estab-
lished by diversion and
application to beneficial use
of 1.60 cubic feet per second
of water from a ground-water
source with point of diversion
in the NE 1/4 NW 1/4, Sec. 25,
T. 7N, R. 35E, B.M., Jeffer-
son County.

The water is claimed to be
used from April 1 to Novem-
ber 1 for the irrigation of 80
acres with a priority of June
17, 1955; the place of use is
within the NW 1/4 NE 1/4,
NE 1/4 NW 1/4, Sec. 25, T. 7N,
R. 35E, 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: May 27, and June 3,
1976.

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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 Don R. Bybee (name of claimant)
of Hamer, ID 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>1.60</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: 1.60 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) 6-17-55

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)
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25 Twp. 7N Rge. 35E 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 sprinkler system system

- (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.

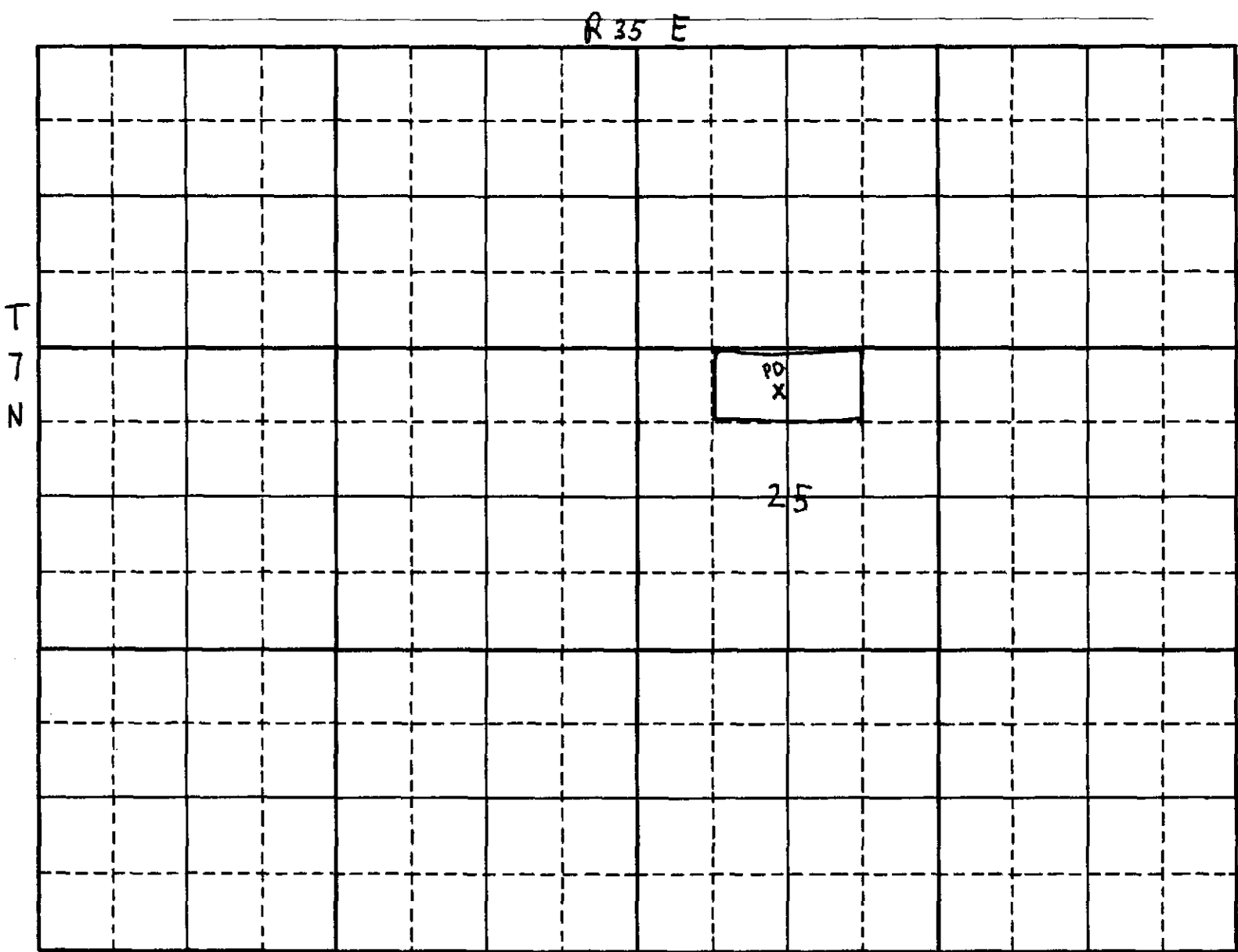
[illegible]

Total No. of acres 80

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

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

(8) Remarks Well completed by Robert Wade on 6-17-55



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 affiants knowledge.

Sworn to before me this 19th day of MAY, 1976.

Don R. Bybee
(Claimant)

Ronald D. Carson
Notary Public

Residing at IDAHO FALLS, IDAHO

My commission expires 2/14/78

For Department Use Only

Received by <u>ME</u>	Date <u>5-14-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ME</u>	Date <u>5-17-76</u>		claimant by:	
\$10.00 fee received by <u>ME</u>	Date <u>5-14-76</u>			
Approved for publication by <u>ME</u>				
Published in <u>Idaho Star</u>				
Dates <u>May 14-1976</u>				

Affidavit of Publication

THE RIGBY STAR

RECEIVED
JUN 24 1976

Department of Water Resources
Eastern District Office

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.

NOTICE OF CLAIM
TO A WATER RIGHT

No. 31-4016

NOTICE IS HEREBY GIVEN that Don R. Bybee, Hamer, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.60 cubic feet per second of water from a ground-water source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 7N, R. 35E, B.M., Jefferson County.

The water is claimed to be used from April 1 to November 1 for the irrigation of 80 acres with a priority of June 17, 1955; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 7N, R. 35E, 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: May 27, and June 3,

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-seventh day of May, 19 76

and the last publication on the

Third day of June, 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 twenty third day of June, 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

Publication Fee: \$ 14.80

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Rigby, Idaho
Box 126

RECEIVED

JAN 14 1977

January 12, 1977
Department of Water Resources
Eastern District Office

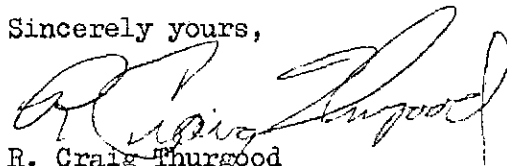
Department of Water Resources
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

On December 2, 1976 Don R. Bybee and Maurine T. Bybee gave us a mortgage on Water Permit #31-7199, Claim to Water Right No. 31-4016, and Water License #31-7043. *you have*

Please let us know if and when any changes are proposed in regard to these Permits and License.

Sincerely yours,



R. Craig Thurgood
County Supervisor

June 25, 1976

RE: Claim to a Water Right No. 31-4016

Mr. Don R. Bybee
Hamer,
Idaho 83425

Dear Mr. Bybee:

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

June 14, 1976

RE: Claim to a Water Right No. 31-4016 BYBEE

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 application. The legal notice was to have been published in your paper on May 27 and June 3, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

*Rec'd
6-22-76
AW*

May 20, 1976

RE: Application for Permit No. 31-7199 BYBEE
Claim to a Water Right No. 31-4016 BYBEE

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

RDC:CW

Enc: Legal Notice (2)

Bill submitted _____ by _____

aff. submitted 6-14-76 me

NOTICE OF CLAIM TO A WATER RIGHT

NO. 31-4016

Notice is hereby given that Don R. Bybee,
Hamer, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 1.60 cubic feet per second ~~XXXXXX FEET PER SECOND XXXXXX~~
of water from a ground-water source
with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 7N, R. 35E, B.M.,
Jefferson County

The water is claimed to be used from Apr. 1 to Nov. 1 for the
irrigation of 80 acres
with a priority of June 17, 1955;
the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 7N, R. 35E,
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 May 27 and June 3, 1976

By-nee
By-nee