

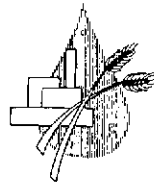
WATER

10

SE 1/4 SE 1/4 SEC 10 T6N R39E

Received by CW Date 5-20-83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by DCM Date 6-28-83 claimant by: _____
 \$30.00 fee received by CW Date 6-23-83
 Published in Standard Journal # 30698
 Dates 8/11 & 8/18/83

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 HIBBARD 1ST AND HIBBARD 2ND WARDS - CORPORATION OF THE
(Name of Claimant)
Church of Jesus Christ of Latter Day Saints, 440 Reed Street Telephone No. 356-4455
(Mailing Address) (Zip Code)
REXBURG, IDAHO 83440

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) JUNE 15, 1949

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)

GROUND WATER 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>.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>4/1</u>	To <u>12/31</u>
Quantity	<u>.04 cfs</u>	Use	<u>IRRIGATION</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .08 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 10 Twp. 6N Rge. 39E, 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.
Pump and pipe line to Church

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>39E</u>	<u>10</u>																<u>X</u>	

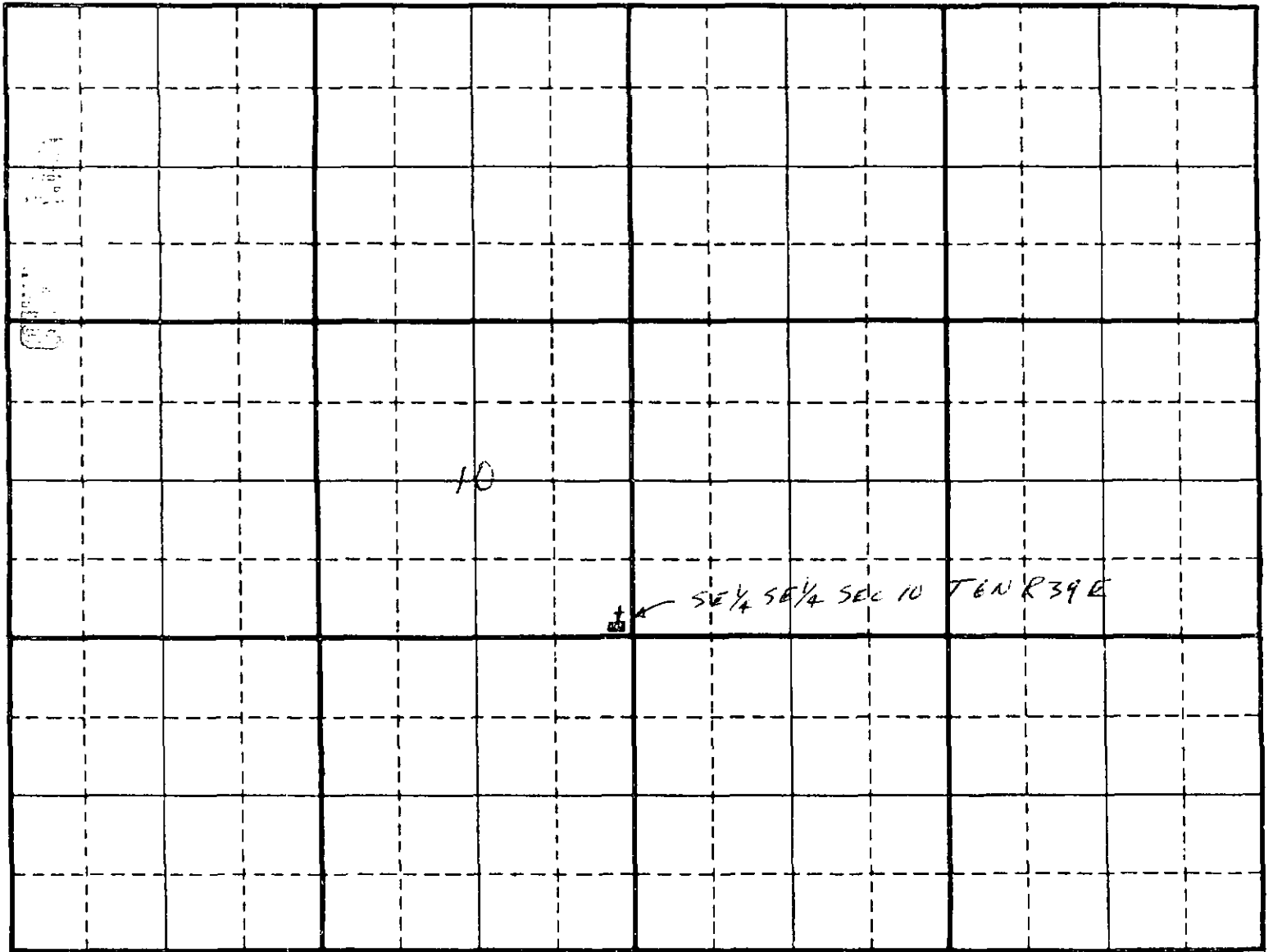
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
WATER IS USED BY MEMBERS OF HIBBARD 1ST AND 2ND WARDS
FOR DRINKING AND OTHER DOMESTIC PURPOSES

NOTE: Include here the type and number of stock watered: _____

(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 Madison) 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.

Rex W. Erickson
Rex W. Erickson
(Claimant)

Sworn to before me this 18 day of MAY, 1983.

[Signature]
Notary Public
Residing at Madison Co. Rexburg ID

My commission expires 12/3/85

Received by CW Date 6-23-83 FOR DEPARTMENT USE ONLY
Prelim. check by BCM Date 6-28-83 Exception filed by: _____ Fowarded to _____ Date _____
\$30.00 fee received by CW Date 6-23-83 claimant by: _____
Published in Standard Journal #30698
Dates 8/11 & 8/18/83

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

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 Aug. 11, 1983
and the last publication having been made

on Aug. 18, 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 Aug. 19, 1983

Jeri Gurney
(SEAL) Notary Public.

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:

25-4234
NELSON, DENNIS W. &/or RITA J.
RT. 3, BOX 314, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 04/15/1957
Diversion Pt: SWSE Sec 31 T 05N R 40E
Use: STOCKWATER (0.02 CFS),
DOMESTIC (0.04 CFS)
In: SWSE Sec 31 T 05N R 40E

22-4128
LDS CHURCH
HIBBARD 1ST & 2ND WARDS, 440 REED
ST., REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 06/15/1949
Diversion Pt: SESE Sec 10 T 06N R 39E
Use: IRRIGATION (0.04 CFS), DOMESTIC
(0.04 CFS)
In: SESE Sec 10 T 06N R 39E

31-4095
SINGLETON, LARRY D.
RT. 1, BOX 58, ST. ANTHONY, ID 83445
Source: DRY CREEK trib. to CAMAS
CREEK

Priority Date: 06/21/1902
Diversion Pt: SESW Sec 19 T 13N R 40E
Use: IRRIGATION (2.50 CFS)
In: NWNE SWNE SENE NENW Sec 28 T
13N R 39E FOR 160 ACRES

31-4096
HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 06/01/1936
Diversion Pt: SESW Sec 12 T 12N R 39E
Use: STOCKWATER (0.02 CFS)
In: SESW Sec 12 T 12N R 39E

31-4098
HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: SPRING trib. to SINKS
Priority Date: 07/01/1880
Diversion Pt: NWNE Sec 24 T 12N R 36E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 24 T 12N R 36E

31-4101
HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 06/01/1936
Diversion Pt: NWNE Sec 17 T 12N R 40E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 17 T 12N R 40E

31-4100

HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: SPRING trib. to SINKS
Priority Date: 07/01/1880
Diversion Pt: SENE Sec 12 T 12N R 36E
Use: STOCKWATER (0.01 CFS)
In: SENE Sec 12 T 12N R 36E

31-4102
HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 06/01/1936
Diversion Pt: NWSE Sec 01 T 12N R 39E
Use: STOCKWATER (0.02 CFS)
In: NESW Sec 01 T 12N R 39E

31-4103
HALF CIRCLE CATTLE CO., INC
P.O. 129, IDAHO FALLS, ID 83402
Source: WASTEWATER
Priority Date: 06/01/1937
Diversion Pt: NENW Sec 04 T 12N R 39E
Use: IRRIGATION (0.80 CFS)
In: NENW NWNW SWNW Sec 04 T 12N R 39E FOR 40 ACRES

Exceptions to a claim may be filed with
Director, Dept. of Water Resources,
Shoup Ave., Suite 15, Idaho Falls, ID
83402.

Publ. Aug. 11, 18, 1983

KEN D
Dire

November 8, 1983

*Telecom 11/18/83
Mr. Erickson's claim was
for the LDS Church. It was recorded
and processed. See #22-4728.
Ernest Carlson*

Rex W. Erickson
Erickson Pontiac-GMC
221 West 4th South
Rexburg, ID 83440

Dear Mr. Erickson:

In May the Department of Water Resources received your claim to a water right filed in accordance with Section 42-242 of the Idaho Code requiring all beneficial use water rights be recorded with the state. This claim was reviewed by our staff and subsequently returned on May 25, 1983 with a cover letter outlining the modifications you needed to make for the claim to be in form to receipt.

The fee at the time you submitted your claim was \$30.00. However, starting July 1, 1983 the statutory fee for filing a claim was substantially increased to \$100.00. Since your claim was originally received when the lower fee was in effect, we will accept your claim at that rate provided it has been corrected and returned no later than November 21, 1983. A returned claim postmarked later than November 21, 1983 will be assessed the current filing fee of \$100.00.

The staff at our office will be glad to answer questions or assist you in properly completing the claim form.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

May 25, 1983

Erickson Pontiac-GMC
221 West 4th South
Rexburg, ID 83440

ATTN: Rex W. Erickson

Dear Mr. Erickson:

BB

Enclosed is a claim to a water right that was received by this office. The claim is being returned for lack of the \$30 filing fee that must accompany the claim.

In reviewing the claim the quantity 0.04cfs or 17.9 gpm ~~appears to~~ be low; however, the claim should reflect the amount of water that has historically been used. Also if the well is used and has been used since 1949 for watering the grounds then the claim should reflect the amount of water used for "Irrigation".

Upon receipt of the claim and \$30 filing fee processing will begin.

Please feel free to contact this office for any additional assistance that may be necessary.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:jk

Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 29, 1983

LDS CHURCH
HIBBARD 1ST & 2ND WARDS
440 REED ST.
REXBURG

ID 83440

RE: Claim No. 22-4128

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 30, 1983

RE: Claim to a Water Right No. 22-4128 HIBBARD 1ST & 2ND WARDS
25-4234 NELSON
31-4095 SINGLETON
31-4096 HALF CIRCLE CATTLE
31-4098 "
31-4100 "
31-4102 "
31-4103 "

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 August 11 and 18, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JCM

Right Number

22 4128

Applicant

LDS Church Hibbard 1st
+ 2nd Wards

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.

Aug 29, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Sept. 20, 1983.

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By

J.V.V.

Date

9-28-83

RECEIVED
SEP 28 1983

Department of Water Resources

Ch

IDENT. NO. 22 4128

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 3, 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 AUGUST 29, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

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

RECEIVED
AUG 14 1983

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 8/11 & 8/18/83.

22-4128

LDS CHURCH

HIBBARD 1ST & 2ND WARDS, 440 REED ST., REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 06/15/1949

Diversion Pt: SESE Sec 10 T 06N R 39E

Use: IRRIGATION	(0.04 CFS)
DOMESTIC	(0.04 CFS)

In: SESE Sec 10 T 06N R 39E

