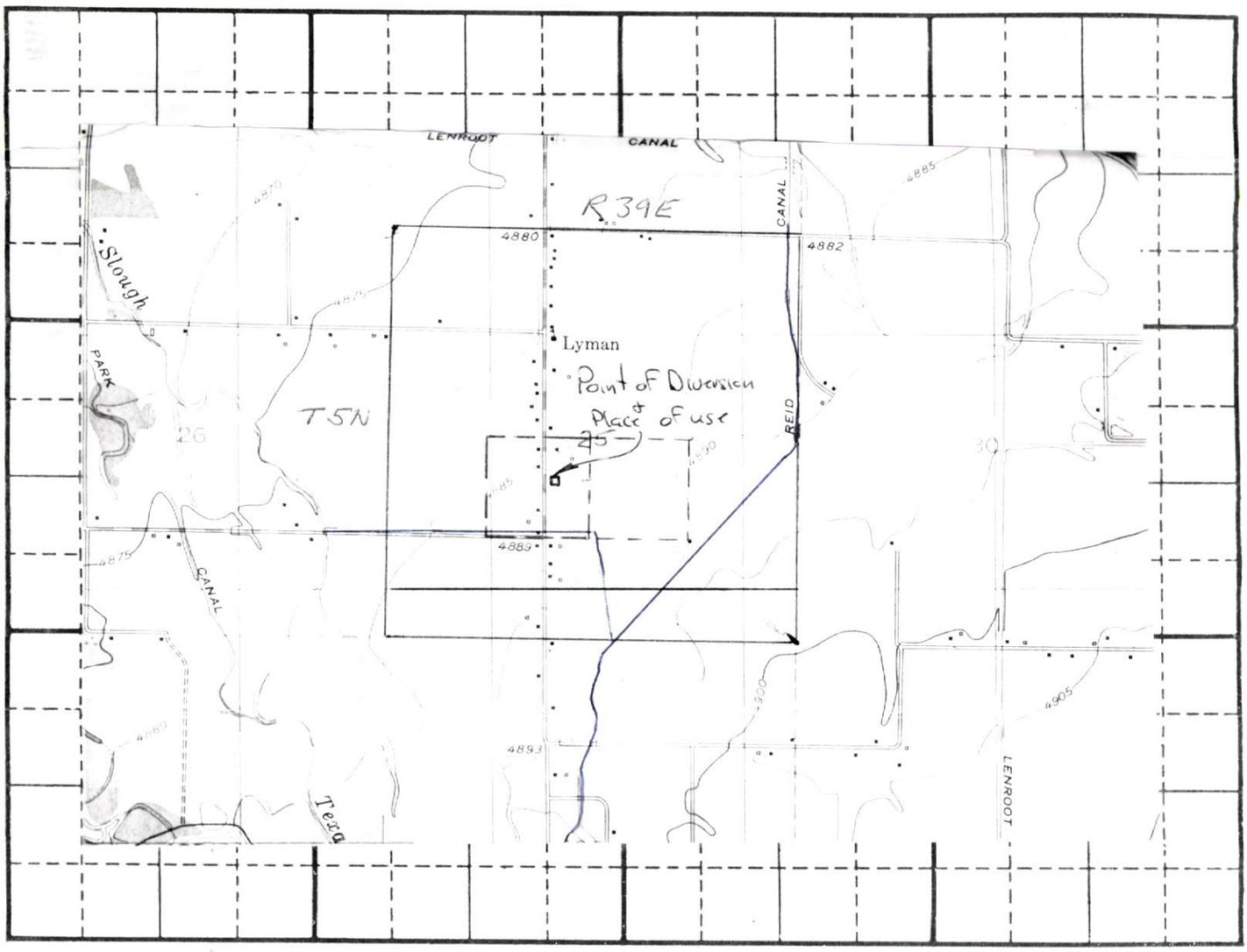
(8) Remarks _____



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 Madison)

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.

J E Whittaker
(Claimant)

Sworn to before me this 13 day of March, 1983.

Joseph P Sellers
Notary Public
Residing at Rexburg Idaho

My commission expires Life

Assist. by HWJ

FOR DEPARTMENT USE ONLY

Received by	BP	Date	4/22/83	Exception filed by:		Fowarded to claimant by:	Date
Prelim. check by	KCW	Date	4/22/83				
$30.00 fee received by	BP	Date	4/22/83 #28084				
Published in	Standard Journal						
Dates	5/5 & 5/12/83						

MICROFILMED

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

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 having been made on May 5,1983 and the last publication having been made on May 12,1983

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 subscribers living within the county of publication; and that it has been continuously and uninteruptedly published in said county dur a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Subscribed to and sworn to before me this May 13,1983

Notary Public.
(SEAL)

My commission expires Life.

Notice of Claims
To Water Rights

The following claims have been filed on water right created by diversion and beneficial use:

22-4093
WHITTAKER, J.E.
Box 138, Rt. 3, Rexburg, Id 83440
Source: GROUNDWATER
Priority Date: 01/01/1940
Diversion Pt: NESW Sec 25 T 05N R 39E
Use: STOCKWATER (0.03 CFS), DOMESTIC (0.06 CFS)
In: NESW Sec 25 T 05N R 39E

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

Published May 5 and 12, 1983J

RECEIVED
MAY 31 1983
Department of Water Resources
Eastern District Office

MICROFILMED

Form No. 243
9/81

Claim No. 22 4093

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.E. Whittaker
(Name of Claimant)

Box 138 Rt. 3, Rexburg, Idaho 83440 Telephone No. 356-5295
(Mailing Address) (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) January 1, 1940

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)
Groundwater 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.)		(Mo., Day)		(Both dates inclusive) (Mo., Day)
Quantity	0.06 cfs	Use	Domestic	Period of Use From	1-1	To	12-31
Quantity	0.03 cfs	Use	Stock	Period of Use From	8-30	To	5-15
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 0.06 cfs (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 25 Twp. 5N 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. Well, pump with lines to 2 homes and stock troughs

(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	
5N	39E	25									X								

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for 2 homes and stockwater

NOTE: Include here the type and number of stock watered: 100 head cattle

If you are claiming water as a member of an organization, list name of organization: _____

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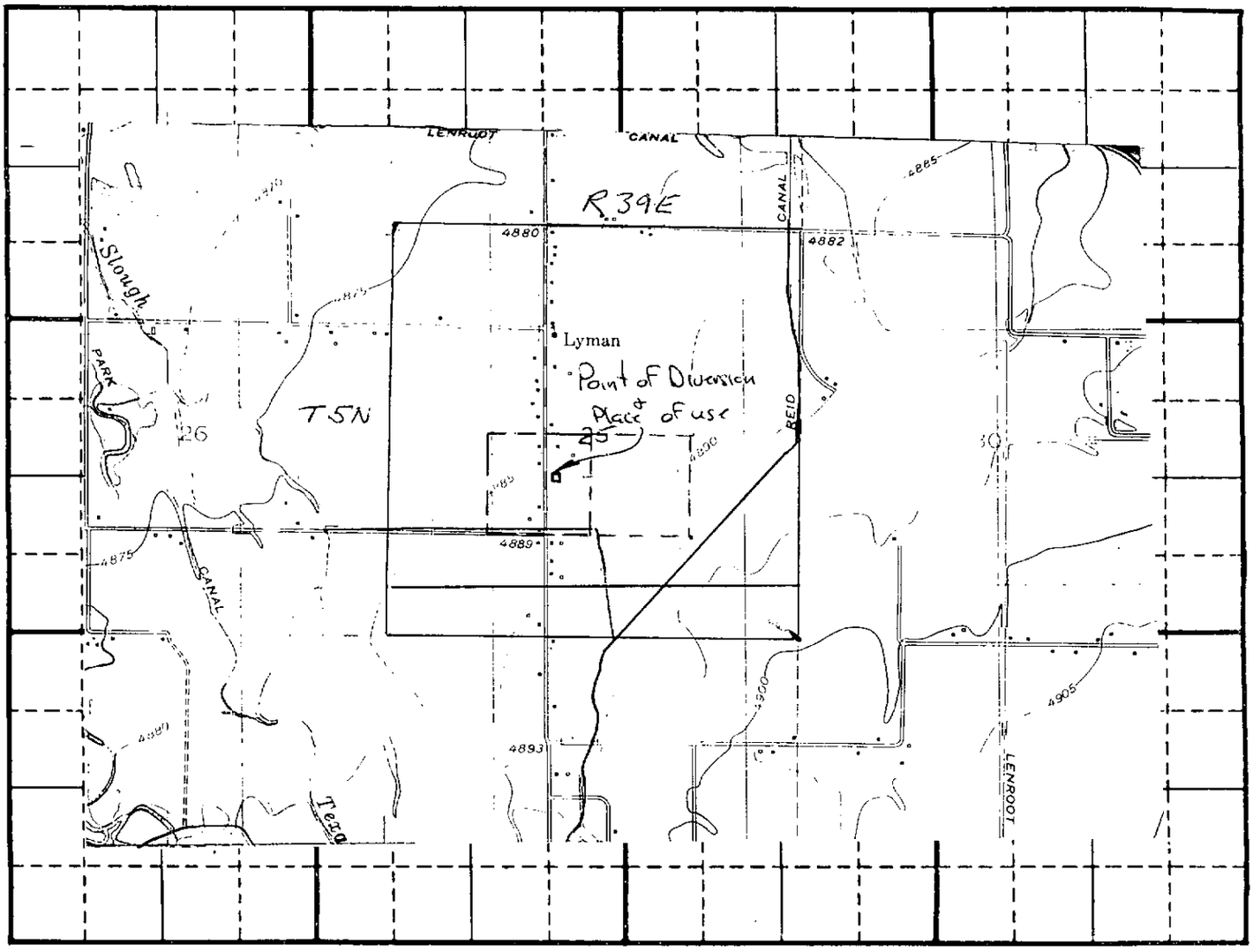
(8) Remarks _____



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 Madison)

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.

J E Whittaker
(Claimant)

Sworn to before me this 13 day of March, 1983.

Joseph F Sullivan
Notary Public
Residing at Rexburg Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Assist. by HWJ
Received by BP Date 4/22/83 Exception filed by: Fowarded to claimant by: Date
Prelim. check by KCW Date 4/22/83
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Published in Standard Journal
Dates 5/5 - 5/12/83

MICROFILMED

The REXBURG STANDARD and
The REXBURG JOURNAL
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Affidavit of Publication

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Notice Of Claims

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 having been made on May 5, 1983 and the last publication having been made on May 12, 1983.

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Subscribed to and sworn to before me this May 13, 1983

Notary Public.

(SEAL)

My commission expires Life.

Notice of Claims
To Water Rights

The following claims have been filed on water right created by diversion and beneficial use:

22-4093
WHITTAKER, J.E.
Box 138, Rt. 3, Rexburg, Id 83440
Source: GROUNDWATER
Priority Date: 01/01/1940
Diversion Pt: NESW Sec 25 T 05N R 39E
Use: STOCKWATER (0.03 CFS), DOMESTIC (0.06 CFS)
In: NESW Sec 25 T 05N R 39E

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

Published May 5 and 12, 1983J

RECEIVED
MAY 31 1983
Department of Water Resources
Eastern District Office

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 23, 1983

J.E. WHITTAKER
BOX 138, RT. 3
REXBURG ID 83440

RE: Claim No. 22-4093

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

May 24, 1983

RE: Claim to a Water Right No. 22-4093 WHITTAKER

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 May 5 and 12, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C Wilson

Right Number 22 4093 Applicant J. E. Whittaker

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. May 23, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 3, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 6/13/83

RECEIVED
JUN 13 1983
Department of Water Resources

IDENT. NO. 22 4093

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
BP	5/23/83	Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
		Keypunched by State Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 27, 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.

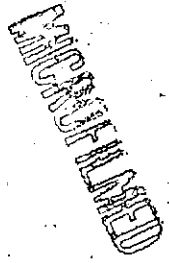
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 23, 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:

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 5/5 & 5/12/83.

MICROFILMED

22-4093

WHITTAKER, J.E.

BOX 138, RT. 3, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 01/01/1940

Diversion Pt: NESW Sec 25 T 05N R 39E

Use: STOCKWATER (0.03 CFS)
Domestic (0.06 CFS)

In: NESW Sec 25 T 05N R 39E

QUIT CLAIM DEED