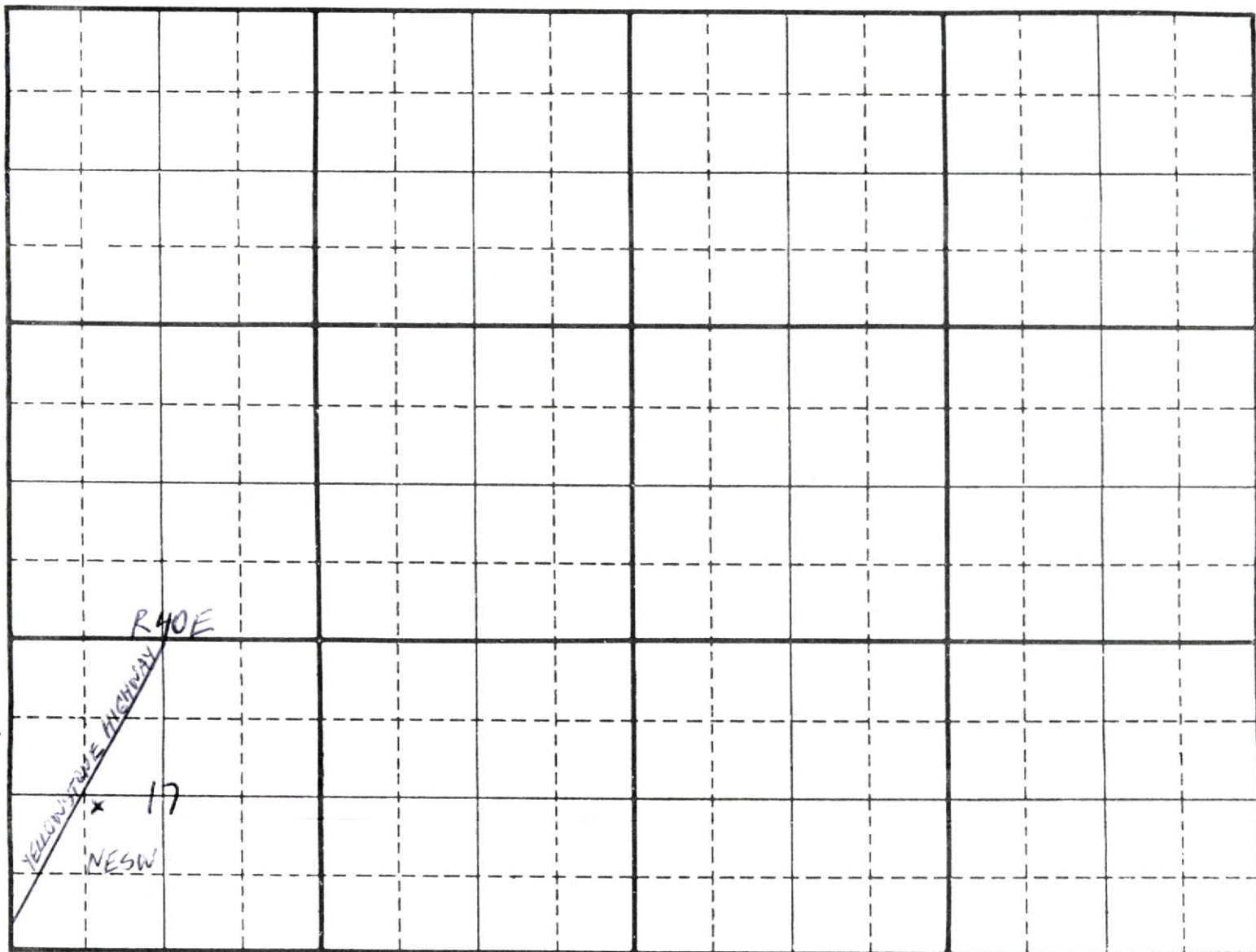


(8) Remarks _____



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 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 affiant's knowledge.

Sworn to before me this 25TH day of MARCH

TETON DRIVE-IN THEATRE
S. Moser, MGR.

(Claimant)

1983.

[Signature]

Notary Public

Residing at Idaho Falls, ID

My commission expires 12-1-84

Received by CW Date 3-27-83 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by Kay Date 4-11-83
\$30.00 fee received by CW Date 4-11-83 #28028
Published in Standard Journal
Dates 4/21 - 4/28/83

RECEIVED

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter

I, 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

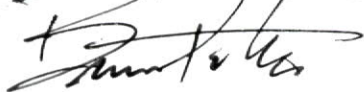
Notice Of Claims To Water Rights
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for ~~One~~ Two
consecutive issues, the first publication hav-

ing been made on April 21, 1983
and the last publication having been made

on April 28, 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 April 29, 1983



(SEAL)

Notary Public.

My commission expires Life.

RECEIVED

MAY 9 1983

Department of Water Resources
Eastern District Office

32-4090
**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

TETON DRIVE-IN THEATER
P.O. BOX 172, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 04/01/1950

Diversion Point: NESW Sec 17 T 06N R
40E

Use: COMMERCIAL (0.05 CFS)

In: NESW Sec 17 T 06N R 40E

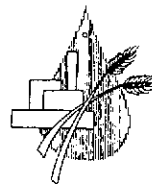
Exceptions to a claim may be filed with the
Director, Department of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.

KENNETH DUNN
Director

Publ. April 21, 28, 1983J.

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 Teton Drive-In Theater
(Name of Claimant)
P.O. Box 172 Rexburg, Idaho 83440 Telephone No. 356-6250
(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) 4-1-1950

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: food preparation & sanitary; seasonal use March through November, COMMERCIAL
(Both dates inclusive)

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>.05 cfs (est.)</u>	Use <u>Commercial</u>	Period of Use From <u>3-1</u>	To <u>11-1</u>
Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To

(4) .05 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 17 Twp. 6N Rge. 40E 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 with 1/2 hp pump and 1 inch pipe

(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.

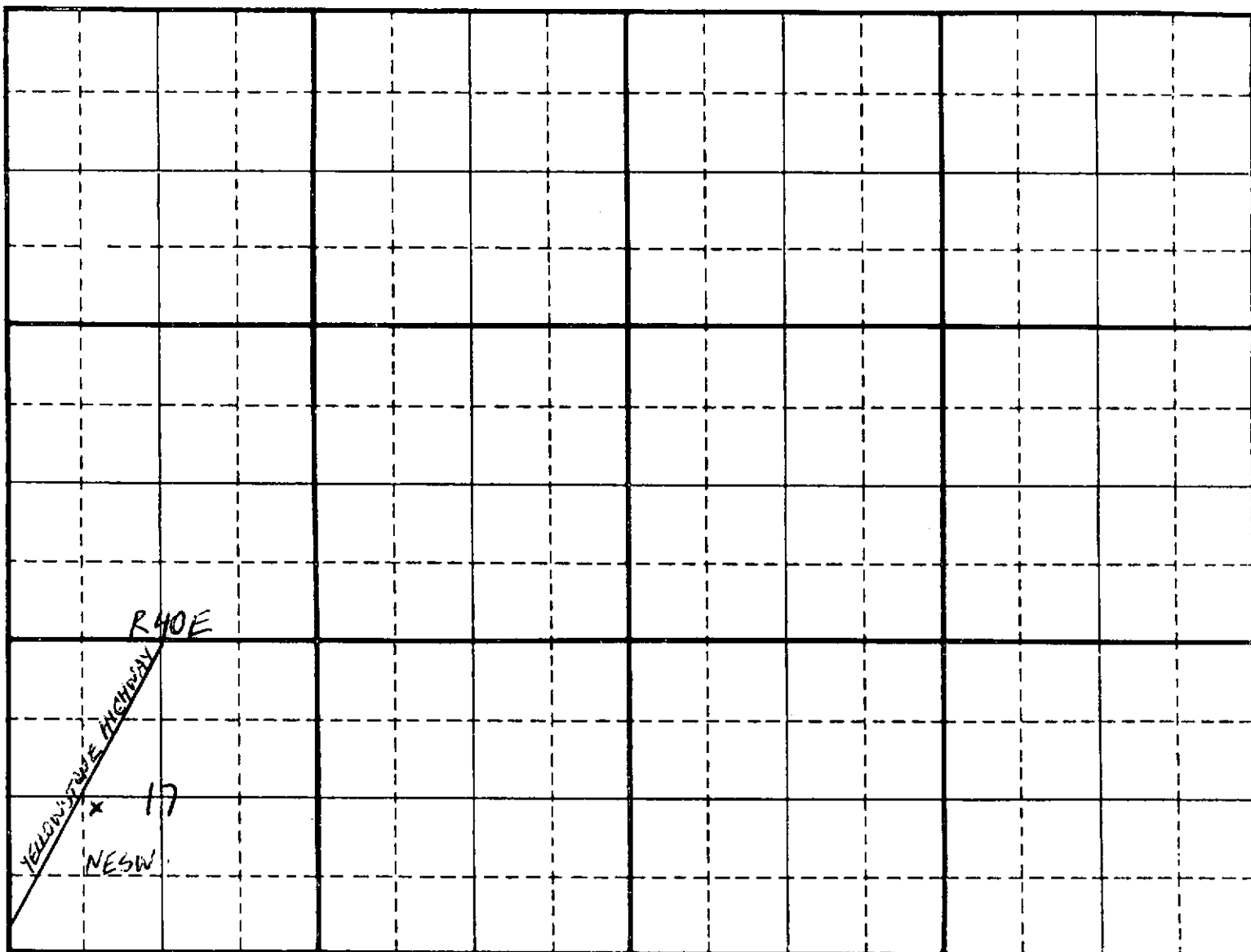
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	40E	17									X								

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: sanitary and food preparation purposes

NOTE: Include here the type and number of stock watered: none
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 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 affiant's knowledge.

TETON DRIVE-IN THEATRE
S. Mosher, MGR.

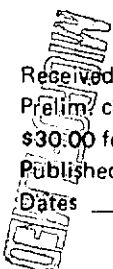
Sworn to before me this 25th day of MARCH

(Claimant)
1983
[Signature]
Notary Public
Residing at Idaho Falls, ID

My commission expires 12-1-84

48-83 FOR DEPARTMENT USE ONLY

Received by [Signature] Date 3-24-83 Exception filed by: _____ Date _____
Prelim. check by Kew Date 4-11-83
\$30.00 fee received by [Signature] Date 4-11-83 # 28028
Published in Standard Journal
Dates 4/21 - 4/28/83



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 ~~One~~ **Two**
consecutive issues, the first publication hav-

ing been made on **April 21, 1983**
and the last publication having been made

on **April 28, 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 **April 29, 1983.**

Geri Garrison
(SEAL) Notary Public.

My commission expires **Life.**

RECEIVED

MAY 9 1983

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

TETON DRIVE-IN THEATER
P.O. BOX 172, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 04/01/1950
Diversion Point: NESW Sec 17 T 06N R
40E

Use: COMMERCIAL (0.05 CFS)
In: NESW Sec 17 T 06N R 40E
Exceptions to a claim may be filed with the
Director, Department of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.

KENNETH DUNN
Director

Publ. April 21, 28, 1983J.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 9, 1983

TETON DRIVE-IN THEATER
P.O. BOX 172
REXBURG ID 83440

RE: Claim No. 22-4090

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

RECORDED
INDEXED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

22 4090

Applicant

Teton Drive-In Theatre

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

May 20, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

RC

Date

5/25/83

May 9, 1983

MICROFILMED

RECEIVED
MAY 25 1983

Department of Water Resources

IDENT. NO.

22 4990

WATER RIGHT
DATA ENTRY LOG

Date _____

Item

BP

4/13/83

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 Updated

Transfer Updated

Keypunched by State Office

March 31, 1983

Teton Drive-In Theatre
P.O. Box 172
Rexburg, ID 83440

ATTN: Steven Moser

Dear Mr. Moser:

Due to the nature of a claim, if any item is missing, the claim is incomplete and must be returned to the claimant. Therefore, enclosed is the claim and check #92-80 for \$30.00 received by this office.

In item 3, the use, "commercial" is missing. Upon receipt of the completed claim and \$30.00 filing fee, processing will begin.

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

March 4, 1983

Teton Drive-In Theatre
P.O. Box 172
Rexburg, ID 83440

Dear Sirs:

Enclosed is a claim to a water right and check #92-80 for \$30.00 that were received by this office.

The location of the point of diversion must be described to the nearest 40 acre tract within a section (item 5a). For the location of use (item 6a), each box in the grid represents a 40 acre tract of land. To indicate the place of use, place an "X" in the appropriate box to show the location. Both the point of diversion and place of use may be the same.

To complete the claim, be sure to complete the map (use attached USGS quad map to do map) and be sure to sign the claim in the exact manner as shown on the front of the form. As the claim is now, each person must sign the form as shown on the front.

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KEW:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 13, 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 9, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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 4/21 & 4/28/83.

RECEIVED
APR 21 1983

22-4090

TETON DRIVE-IN THEATER

P.O. BOX 172, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 04/01/1950

Diversion Pt: NESW Sec 17 T 06N R 40E

Use: COMMERCIAL (0.05 CFS)

In: NESW Sec 17 T 06N R 40E

MICROFILMED