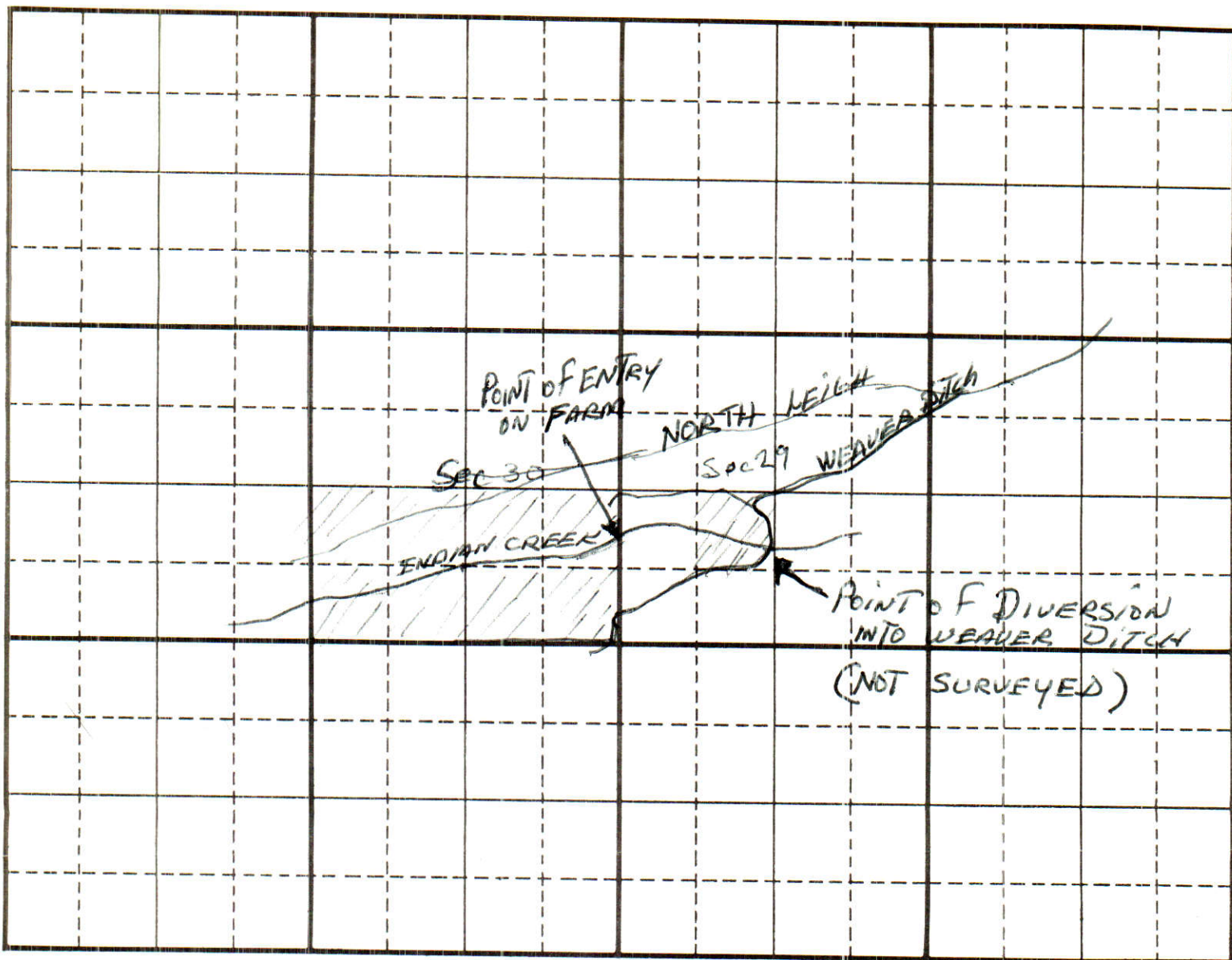


(8) Remarks _____



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.

WATER USED ON SOUTH 1/2 SEC 30 T6N R46E B.M. County TETON

State of Idaho)
County of BOONEVILLE) 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.

Barbara A. Brown
(Claimant)

Sworn to before me this 8 day of July, 19 80.

Scott W. Suter
Notary Public
Residing at IDAHO FALLS

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by kw Date 7/15/80 Exception filed by: _____ Date _____
Prelim. check by EMC Date 7-18-80
30 \$20.00 fee received by kw Date 7/23/80 # 14939 Forwarded to claimant by: _____ Date _____
Published in Teton Valley News
Dates 7/31 & 8/7/80

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharyn Hastings
being first duly sworn depose and
say that I am the secretary
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
that 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of 22-4040

Brown, Darwin
Notice of Claims

And affiant further says that said
attached notice, advertisement or
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 31 day of July, 1980
and last publication on the 7 day
of Aug, 1980

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Sharyn Hastings

Subscribed in my presence and
sworn to before me this 2nd day of
Aug, 1980

(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Mitchell C. Nabau
My Commission expires

July 7, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the
following claim(s) to water
right(s) have been established by
diversion and application to bene-
ficial use:

22-4040

Brown, Darwin
351 East 3rd South, Rexburg, ID
83440

Source: Indian Creek (Little Day
Creek) tributary to Teton River

Priority Date: 06/29/1900

Amount: 4.00 CFS

Diversion Point: NESW Sec. 29 T
06N R 46E, Teton Co.

Use: Irrigation 4.0 CFS from
04/15 to 09/15, Stockwater 0.01
CFS from 01/01 to 12/31

Place of Use: SWSW SESW
NESE NWSE SWSE SESE Sec.
30 T 06N R 46E for 200 acres

Diversion Means: Ditch

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

C. STEPHEN ALLRED

Director

Published in the Teton Valley
News July 31 and August 7, 1980.

RECEIVED

AUG 25 1980

Department of Water Resources
Eastern District Office

MICROFILMED

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 DARWIN BROWN
(Name of Claimant)
351 EAST 3RD SOUTH REXBURG, IDAHO, 83440 Telephone No. 356-6832
(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) JUNE 29, 1900

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) INDIAN CREEK (LITTLE DAY CREEK) tributary to TETON RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)	
2000000	Quantity <u>400 CFS</u>	Use <u>IRRIGATION</u>	Period of Use From <u>APR 15</u>	To <u>JUN 15</u>	
2000000	Quantity <u>2400 gpd</u>	Use <u>STOCK WATER</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
	Quantity _____	Use _____	Period of Use From _____	To _____	
	Quantity _____	Use _____	Period of Use From _____	To _____	
	Quantity _____	Use _____	Period of Use From _____	To _____	

(4) 4.0 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 29 Twp. 6N Rge. 46E B.M., County of TETON
Additional points of diversion: PRECISE POINT HAS NOT BEEN SURVEYED.

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.
WEAVER DITCH AND INDIAN CREEK TRAVERSES
SOUTH HALF SEC 30 WHERE STOCK HAVE ACCESS.

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
46E	6N	30											40	40	20	20	40	40	200

No. of acres 200

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

NOTE: Include here the type and number of stock watered: RANGE CATTLE (CATTLE) 200

(7) If you are claiming water as a member of an organization, list name of organization:
None

UNCONFIRMED

A hand-drawn map on a grid background. The map shows a section of land divided into two parts: 'SEC 30' on the left and 'SEC 29' on the right. A line labeled 'INDIAN CREEK' runs horizontally across the middle. Another line labeled 'NORTH LEIGH' runs diagonally from the top left towards the right. A third line labeled 'WEAVER DITCH' runs diagonally from the bottom left towards the top right. A point where Indian Creek crosses Weaver Ditch is marked with an arrow and labeled 'POINT OF DIVERSION INTO WEAVER DITCH (NOT SURVEYED)'. Another point on the North Leigh line is marked with an arrow and labeled 'POINT OF ENTRY ON FARM'. The areas around Indian Creek and Weaver Ditch are shaded with diagonal lines.

Received by EW Date 7/15/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 7-18-80 claimant by: _____
~~\$20.00~~ fee received by EW Date 7/23/80 # 14939
Published in Teton Valley News _____
Dates 7/31 & 8/7/80 _____

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharon Hastings
being first duly sworn depose and say that I am the secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of 22-4040

Brown, Darwin
Notice of Claims

And affiant further says that said attached notice, advertisement or 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 31 day of July, 1980 and last publication on the 7 day of Aug, 1980

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Sharon Hastings

Subscribed in my presence and sworn to before me this 2nd day of Aug, 1980

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Mitchell C. Wilson
My Commission expires

July 7, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

22-4040

Brown, Darwin
351 East 3rd South, Rexburg, ID 83440

Source: Indian Creek (Little Day Creek) tributary to Teton River
Priority Date: 06/29/1900

Amount: 4.00 CFS

Diversion Point: NESW Sec. 29 T 06N R 46E, Teton Co.

Use: Irrigation 4.0 CFS from 04/15 to 09/15, Stockwater 0.01 CFS from 01/01 to 12/31

Place of Use: SWSW SESW NESE NWSE SWSE SESE Sec. 30 T 06N R 46E for 200 acres

Diversion Means: Ditch

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

C. STEPHEN ALLRED

Director

Published in the Teton Valley News July 28 and August 7, 1980.

RECEIVED

AUG 25 1980

Department of Water Resources
Eastern District Office

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernst

Right Number 22 4040 Applicant Brown

NOTE: 22-4040
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. 8/18
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernst Golden Date 9-2-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Mauson Date 9/3/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 18, 1980

DARWIN BROWN
351 EAST 3RD SOUTH
REXBURG

ID 83440

RE: Claim No. 22-4040

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

RECEIVED
AUG 20 1980

August 1, 1980

RE: Claim to a Water Right No. 22-4040 Darwin Brown

Kent W. Foster
Attorney at Law
P. O. Box 129
Idaho Falls, ID 83401

Dear Mr. Foster:

Attached herewith is Departmental Receipt No. 14939 in the amount of \$30.00 for the above referenced claim.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

RECEIVED
AUG 1 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JULY 25, 1980

Teton Valley News
Driggs,
Idaho 83422

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 billings to this office before AUGUST 18, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use

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

C. STEPHEN ALLRED

Director

Published 7/31 & 8/07/80.

MICROFILMED

22-4040

Brown, Darwin

351 East 3rd South, Rexburg, ID 83440

Source: Indian Creek (Little Day Creek) tributary to Teton River

Priority Date: 06/29/1900

Amount: 4.00 CFS

Diversion Point: NESW Sec. 29 T 06N R 46E, Teton Co.

Use: Irrigation 4.0 CFS from 04/15 to 09/15

Stockwater 0.01 CFS from 01/01 to 12/31

Place of Use: SWSW SESW NESE NWSE SWSE SESE Sec. 30 T 06N R 46E for 200 acres

Diversion Means: Ditch.

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

22-4040
Brown, Darwin
351 East 3rd South, Rexburg, ID 83440
Source: Indian Creek (Little Day Creek) tributary to Teton River
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Diversion Means: Ditch

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

C. STEPHEN ALLRED
Director

Published in the Teton Valley News July 31 and August 7, 1980.

2025 JUL 31 10 10 AM
IDAHO DEPT. OF WATER RESOURCES

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER

GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO
JAMES D. HOLMAN

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

July 14, 1980

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

Gentlemen:

We are enclosing with this letter a completed Claim to a Water Right form on behalf of our clients, Darwin and Barbara Brown. We are also enclosing our check in the amount of \$30.00 for the filing fee.

Yours very truly,


Kent W. Foster

KWF:jt

Encl.

RECEIVED

JUL 15 1980

Department of Water Resources
Eastern District Office

RECEIVED