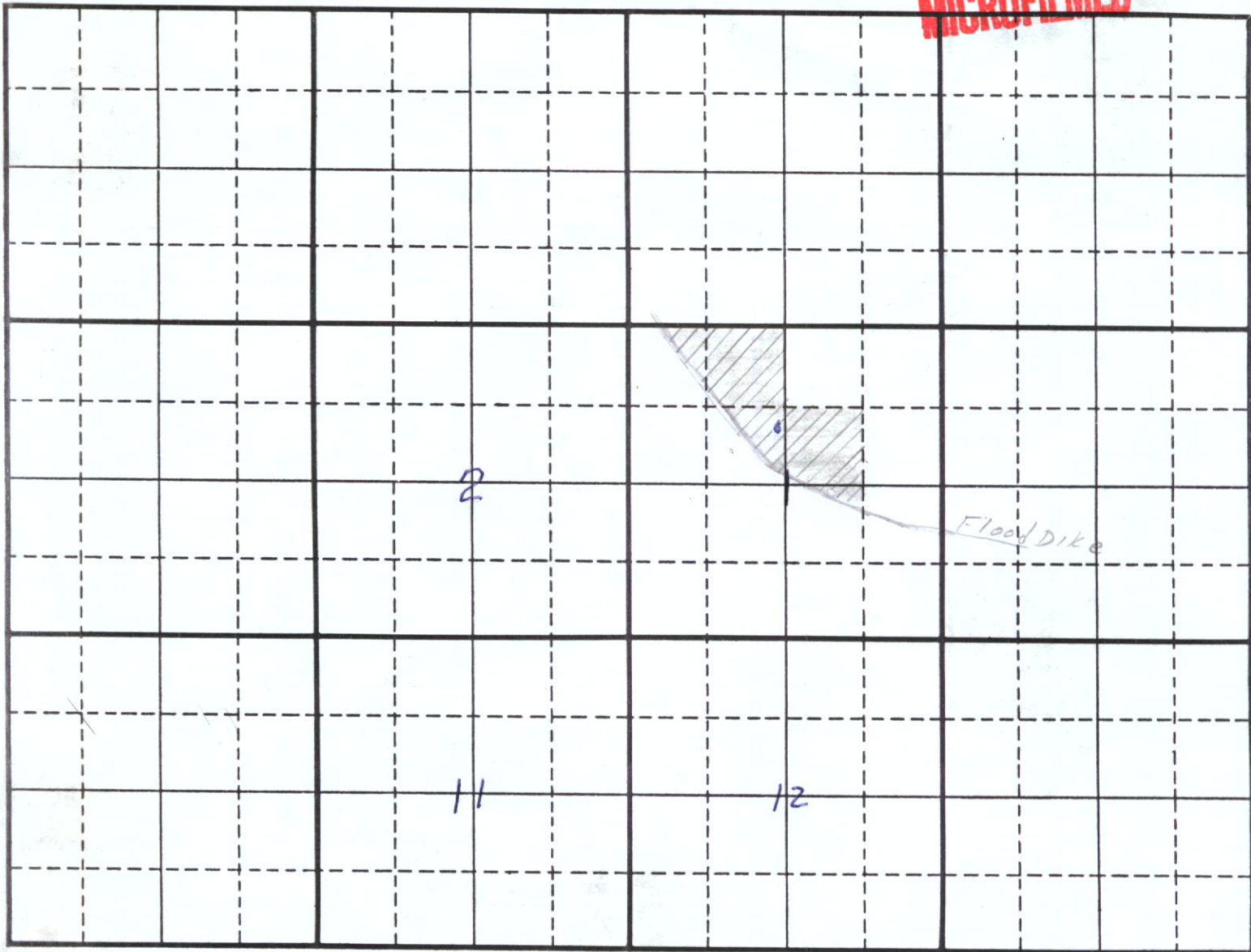


- (8) Remarks Because of a headgate installed by the Corps of Engineers, water flows through the slough on which the point of diversion is located during periods of high water. During the remainder of the year subwater arises in the slough but does not reach the river.



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 Bingham) 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 26th day of December, 19 79.

Edith Wilson
(Claimant)

Ronald D. Carlson
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>JD</u>	Date <u>12/26/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RDC</u>	Date <u>12/26/79</u>		claimant by:	
\$20.00 fee received by <u>JD #15467</u>	Date <u>12/26/79</u>			
Published in <u>Standard Journal</u>				
Dates <u>1/10 & 1/17/80</u>				

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 Earl Wilcox (Name of Claimant)
Rt. #3, Box 190, Rexburg, Idaho 83440 Telephone No. 356-6460
(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) May 1, 1951

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)
Unnamed Slough tributary to Snake 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:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	1.5	Use	Irrigation	Period of Use From April 1	To Nov. 1
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) TOTAL QUANTITY USED.

(cfs, gpd, AFA)
(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 1 Twp. 4N 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.
6 inch centrifugal pump powered by tractor PTO.

(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	
4N	39E	1			30		30	5		5						5			75

No. of acres 75

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

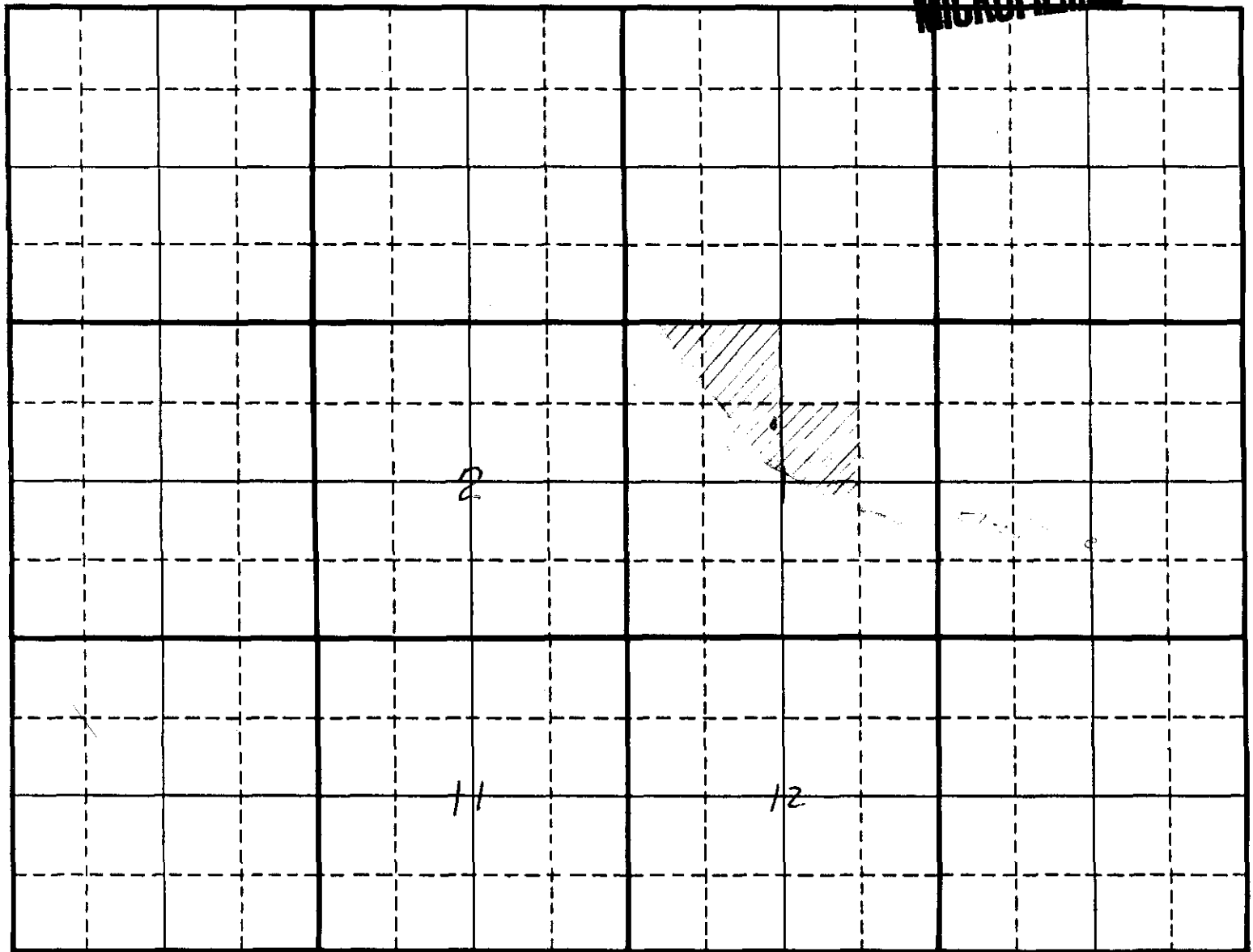
NOTE: Include here the type and number of stock watered:

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

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(8) Remarks Because of a headgate installed by the Corps of Engineers, water flows through the slough on which the point of diversion is located during periods of high water. During the remainder of the year subwater arises in the slough but does not reach the river.

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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 Bingham) 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 26th day of December, 19 77.

Carl H. H. H.

(Claimant)

Ronald D. Carter
Notary Public

Residing at Fort, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>JD</u>	Date <u>12/26/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JD</u>	Date <u>12/26/79</u>		claimant by:	
\$20.00 fee received by <u>JD #14167</u>	Date <u>12/26/79</u>			
Published in <u>Standard Journal</u>				
Dates <u>1/10 & 1/17/80</u>				

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

3

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 January 10, 1980
and the last publication having been made

on January 17, 1980

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 January 18, 1980


(SEAL)

Notary Public.

My commission expires Life

RECEIVED

FEB 4 1980

Department of Water Resources
Eastern District Office

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:

Applicant No. Q1-4011

Applicant: SUNNYDELL IRRIGATION
DISTRICT; C/O WALT BYBEE, PRES., ROUTE
3, BOX 222, REXBURG, ID 83440

Source: SNAKE RIVER, SOUTH FORK
tributary to SNAKE RIVER

Priority Date: 06/01/1889

Amount: 35.00 CFS

Diversion Point: NENE Sec 26 T 04N R 40E,
MADISON Co.

Use: STOCKWATER (35.00 CFS) from
11/01 to 04/01

Diversion Means: HEADGATES ON RIVER
TO CANAL.

Applicant No. 22-4020

Applicant: WILCOX, EARL; ROUTE 3, BOX
190, REXBURG, ID 83440

Source: UNNAMED SLOUGH tributary to
SNAKE RIVER

Priority Date: 05/01/1951

Amount: 1.50 CFS

Diversion Point: SENW Sec 01 T 04N R 39E,
MADISON Co.

Use: IRRIGATION (1.50 CFS) from 04/01 to
11/01

Place of Use: SWNE NENW NWNW SENW
NWSE Sec 01 T 04N R 39E FOR 75 ACRES

Diversion Means: PUMP POWERED BY
TRACTOR PTO.

Any exception to any claim of water right may
be filed with the Director of the Idaho Depart-
ment of Water Resources, 1515 Lincoln Road,
Boise, Idaho 83709.

C. STEPHEN ALLRED
Director

Publ. Jan. 10 and 17, 1980J

MICROFILMED

IN THE MATTER OF:)
)
)
)
)
)

AFFIDAVIT

State of Idaho)
)

County of Madison)

LEWIS W. BOWEN

being first duly sworn,

deposes and says: 1. That he acquired Lots 5, 6 and 7 of Section 1, Twp. 4 North, Range 39 E.B.M., in Madison County, Idaho, in about the year 1938, and sold the same on May 12, 1972.

2. In May, 1951, he installed a six inch centrifugal water pump, powered by an international gasoline motor, in an unnamed stream, a tributary to the South Fork of the Snake River, in said Lot 7, of said Section 1, Twp. and Rge. aforesaid, diverting said water from said stream and applying the same to a beneficial use, for the growing of crops.

3. In approximately the month of May, 1952, he installed an eight inch parma water lift pump, powered by a tractor and connecting belt, and diverted the water from said stream, and applied the same to a beneficial use for production of crops, and said point of diversion was in Lot 6, Section 1, Township 4 North, Rge. 39, E.B.M.

4. That he diverted, at said times and places mentioned above, at least 30 miners inches of the flow of said unnamed stream, and applied the same to approximately eight acres in Lot 7 and approximately 22 acres in Lot 6 of said Section 1, Twp. and Rge. aforesaid.

5. That he diverted said water and applied the same to a beneficial use, in the manner and to the extent aforementioned, continuously and uninterruptedly in each year thereafter until the date he sold the premises as aforementioned.

Lewis W. Bowen
(signature)

Subscribed and sworn to before me this 20th day of August, 19 75.

Larry W. Light
(notary public)

Residing at Rexburg, Idaho

My commission expires Life

MICROFILMED

IN THE MATTER OF:)
)
)
)
)
State of Idaho)
)
County of Madison)

AFFIDAVIT

LEWIS W. BOWEN being first duly sworn,

deposes and says: 1. That he acquired Lots 5, 6 and 7 of Section 1, Twp. 4 North, Range 39 E.B.M., in Madison County, Idaho, in about the year 1938, and sold the same on May 12, 1972.

2. In May, 1951, he installed a six inch centrifugal water pump, powered by an international gasoline motor, in an unnamed stream, a tributary to the South Fork of the Snake River, in said Lot 7, of said Section 1, Twp. and Rge. aforesaid, diverting said water from said stream and applying the same to a beneficial use, for the growing of crops.

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4. That he diverted, at said times and places mentioned above, at least 30 miners inches of the flow of said unnamed stream, and applied the same to approximately eight acres in Lot 7 and approximately 22 acres in Lot 6 of said Section 1, Twp. and Rge. aforesaid.

5. That he diverted said water and applied the same to a beneficial use, in the manner and to the extent aforementioned, continuously and uninterruptedly in each year thereafter until the date he sold the premises as aforementioned.

Lewis W. Bowen
(signature)

Subscribed and sworn to before me this 20th day of August, 19 75.

Larry W. Legby
(notary public)

Residing at Rexburg, Idaho.
My commission expires Life.

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JC

Right Number 22-4020 Applicant Wilson

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 2/6/80

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By Jmi Date 2/11/80

~~make copy of affidavit and send copy to back to Wilson~~
~~BF #3 Box 190 Mustang~~

MICROFILMED

IDENT. NO. 22-4030

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 30, 1980

EARL WILCOX
ROUTE 3
BOX 190
REXBURG

ID 83440

RE: Claim No. 22-4020

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

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January 31, 1980

RE: Claim to a Water Right No. 22-4020 EARL WILCOX

Standard Journal
P.O. Box 10
Rexburg, Idaho 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 January 10 and January 17, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

MICROFILMED

WILCOX, EARL

ROUTE 3, BOX 190, REXBURG, ID 83440

Source: UNNAMED SLOUGH tributary to SNAKE RIVER

Priority Date: 05/01/1951

Amount: 1.50 CFS

Diversion Point: SENW Sec 01 T 04N R 39E, MADISON Co.

Use: IRRIGATION (1.50 CFS) from 04/01 to 11/01

Place of Use: SWNE NENW NWNW SENW NWSE Sec 01 T 04N R 39E FOR 75 ACRES

Diversion Means: PUMP POWERED BY TRACTOR PTO.

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