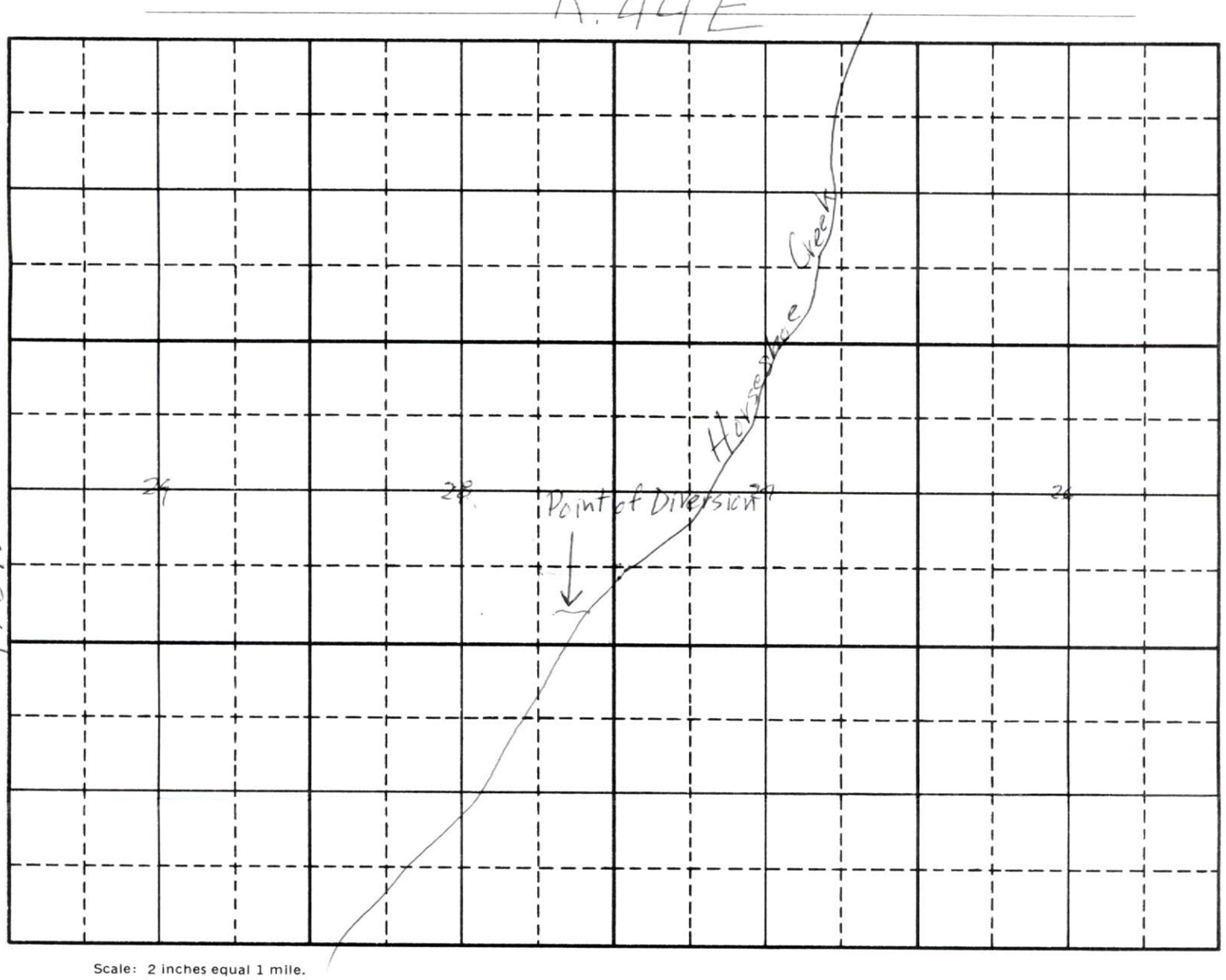
(8) Remarks _____



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 Teton)

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 affiants knowledge.

Elizabeth Bevan Gilbert
(Claimant)

Sworn to before me this 23rd day of July, 1995.

W. Grundvig
Notary Public
Residing at Rexburg

My commission expires 10/8/98

For Department Use Only

Received by CW	Date 10-28-95	Exception filed by:	Forwarded to claimant by:	Date	
Prelim. check by RDC	Date 10/28/95				
$10.00 fee received by CW	Date 10-28-95				
Approved for publication by CW 11-15-95 #15462					
Published in Teton Valley News					
Dates Nov. 6 & 13, 1995					

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Lorna L Norton
being first duly sworn depose and say

that I am the publisher
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

Water claim # 22-4006
Eliza Bevan Gilbert

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 6 day of November

19 75

and last publication on the 13

day of November, 19 75

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 and one-half inches deep.

Lorna L Norton

Subscribed in my presence and sworn

to before me this 17th day of

November, 19 75

Joan Loveless

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

My Commission expires

July 7, 19 80

RECEIVED
NOV 17 1975
Dept. of Resources
Office

NOTICE OF CLAIM TO A WATER RIGHT
NO. 22-4006

Notice is hereby given that Eliza Bevan Gilbert, Driggs, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.20 cubic feet per second of water from Buttermilk Draw tributary to Horseshoe Creek with point of diversion in the SE¼SE¼, Sec. 28, T. 5N, R. 44E, B.M., Teton County.

The water is claimed to be used from Apr. 1 to Nov. 1 for stockwatering purposes and the irrigation of 10 acres with a priority of Oct. 1, 1923; the place of use is within the SE¼SE¼, Sec. 28, T. 5N, R. 44E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on November 6 and November 13, 1975.

Claim No. 22 4006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Eliza Bevan Gilbert (name of claimant)

of Driggs, Idaho (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Buttermilk Draw, tributary to, Horseshoe Creek

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

Amount	.2 C.F.S. (cfs, gpm or a/f)	Use	Irrigation and stock (dom., irri., stock, etc.)	Period of Use:	From	April	To November (both dates inclusive)
Amount		Use		Period of Use:	From		To
Amount		Use		Period of Use:	From		To

(3) Total quantity of water claimed: .2 C.F.S. cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) October 1, 1923

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SE ¼ SE ¼, Sec. 28 Twp. 5N Rge. 44 E B. M. County of Teton

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. Diversion dam

(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	44E	28																10	10

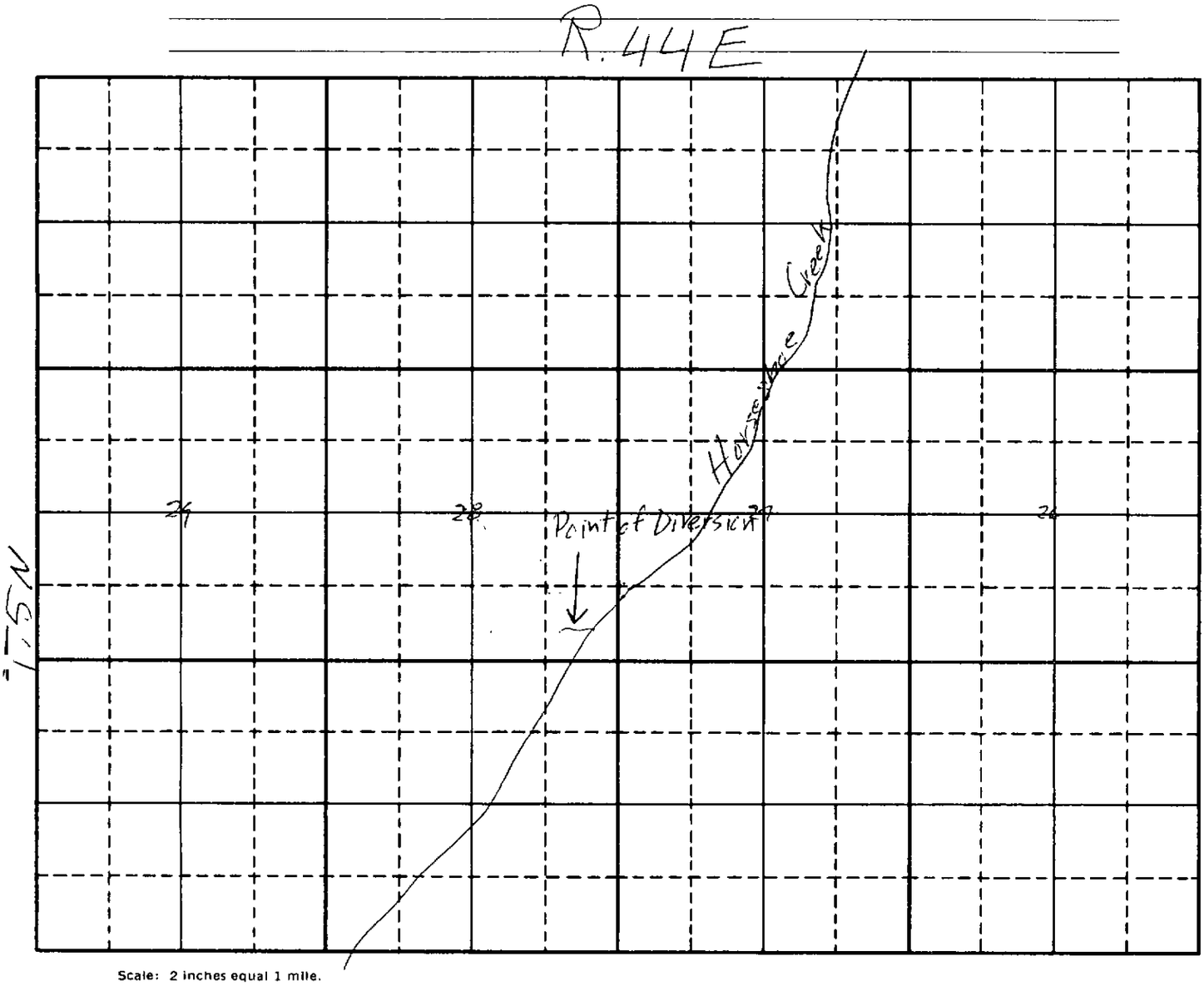
Total No. of acres 10

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

(7) If you are claiming water as a member of an organization, list name of organization: no applicable

RECEIVED MAR 1 1982

(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 Teton)

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 affiants knowledge.

Elizabeth Brown Gilbert
(Claimant)

Sworn to before me this 23rd day of July, 1995.

W. Gunstone
Notary Public
Residing at Rexburg

My commission expires 10/8/98

For Department Use Only

Received by CW	Date 10-28-95	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by RDC	Date 10/28/95			
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Water Claim # 22-4006
Eliza Bevan Gilbert

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19 75

and last publication on the 13

day of November, 19 75

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 and one-half inches deep.

Lorna L Norton

Subscribed in my presence and sworn

to before me this 14th day of

November, 19 75

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

My Commission expires

July 7, 19 79

NOTARIZED

RECEIVED
NOV 17 1975
Department of Resources
Office

me

NOTICE OF CLAIM TO A WATER RIGHT
NO. 22-4006

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

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on November 6 and November 13, 1975.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT
IDAHO FALLS, IDAHO 8340

November 25, 1975

RE: Claim to a Water Right No. 22-4006

Eliza Bevan Gilbert
Driggs
Idaho

Dear Ms. Gilbert:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:ME

Enc: Copy of Claim

October 29, 1975

RE: Claim to a Water Right No. 22-4006 GILBERT

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:CW

Enc: Legal Notice

Bill submitted 11-12-1975 by me

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 22-4006

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R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on November 6 and November 13, 1975.

NOTICE OF CLAIM TO A WATER RIGHT

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R. KEITH HIGGINSON

Director

Published in the Teton Valley News, Driggs, Idaho on November 6 and November 13, 1975

MICROFILMED

October 29, 1975

RE: Claim to a Water Right No. 22-4006 ELIZA BEVAN GILBERT

Mr. Brent Eames
Attorney at Law
P.O. Box 306
Rexburg, Idaho 83440

Dear Mr. Eames:

Attached herewith is departmental receipt No. 15464 in the amount of $10.00 for the above referenced claim to a water right.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:CW

Attachment

MICROFILMED

LAW OFFICES
JOLLEY & EAMES
P. O. BOX 306
REXBURG, IDAHO 83440

J. KENT JOLLEY
W. BRENT EAMES
RONALD K. FIELDING

89 PROFESSIONAL PLAZA
TELEPHONE (208) 356-7276

October 25, 1975

RECEIVED
OCT 28 1975
Department of Water Resources
Eastern District Office

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho

Dear Sir:

I am enclosing a Claim to Water Right filed by Eliza Bevan Gilbert of Driggs, Idaho, for water in Teton County. I am also enclosing a $10.00 for filing fee.

Thank you kindly.

Yours truly,

JOLLEY & EAMES

W. Brent Eames

k

encl.

MICROFILMED