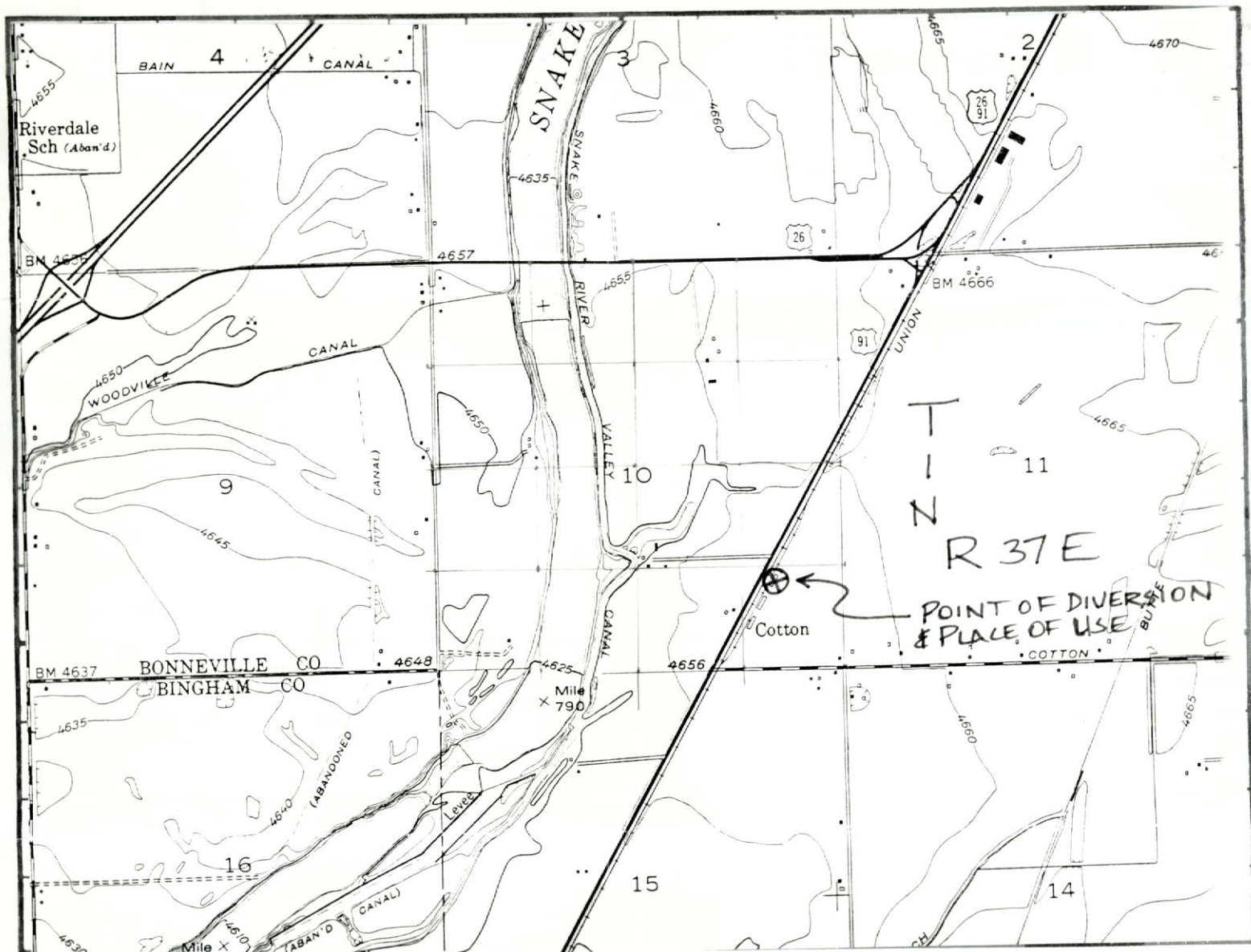


MICROFILMED

- (8) Remarks The land on which this well is located is owned by the Oregon Short Line Railroad Co. and is leased by Union Pacific Railroad. The claimant leases the land from Oregon Short Line and Union Pacific under a long term lease.



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 6 day of May, 1986.

George Hynd
(Claimant)

John L. Gaskill
Notary Public
Residing at Idaho Falls

My commission expires Indefinite

FOR DEPARTMENT USE ONLY

Received by <u>MD</u>	Date <u>5-9-86</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RCW</u>	Date <u>5-9-86</u>		claimant by:	
\$30.00 fee received by <u>\$200.00</u>	Date <u>5-14-86 #39632</u>			
Published in <u>POST REGISTER</u>				
Dates <u>5-22+5/29/86</u>				

Proof of Publication
The Post-Register

RECEIVED

JUN 13 1986

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 22nd day of May, 1986, last publication having been made on the 29th day of May, 1986, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 11th day of June, 1986.

Notary Public

My commission expires September 30, 1988.

B10

NOTICE OF CLAIMS TO WATER RIGHTS

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

25-4312

HEYREND, GEORGE
BOX 1237, 165 W. 16TH ST., IDAHO FALLS,
ID 83401

Source: GROUNDWATER
Diversion Pt: SESE Sec 10 T 01N R 37E
Use: COMMERCIAL (0.1 CFS); DOMESTIC
(0.040 CFS)

Priority Date: 09/01/1942

In: SESE Sec 10 T 01N R 37E

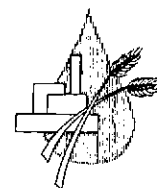
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published: May 22, 29, 1986

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



NOTE:

The filing deadline has been extended
with a substantially increased fee:

Date Claim Filed	Fee
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

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 George Heyrend

Box 1237

(Name of Claimant)

523-1277

165 W. 16th St., Idaho Falls, Idaho 83401

Telephone No. (402)-271-5153

(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) September 1, 1942

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 N/A

- (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.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.10 cfs</u>	Use <u>Commercial</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</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) 0.10 TOTAL QUANTITY USED.
(cfs, af)

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

SE 1/4 SE 1/4, Sec. 10 Twp. 1N Rge. 37E B.M., County of Bonneville

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. 3hp submersible pump and lines for commercial and domestic use.

- (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	
1N	37E	10																X	

No. of acres

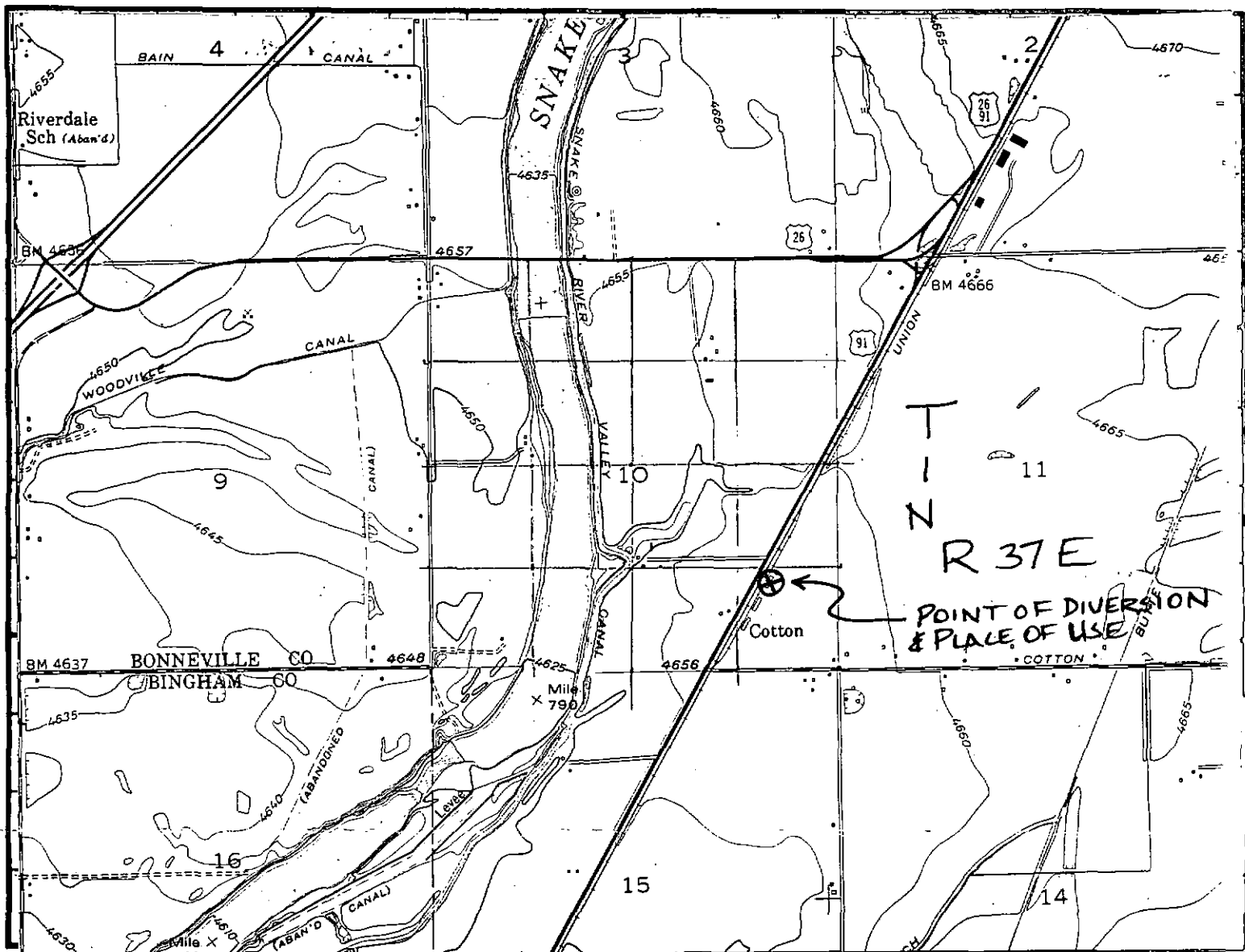
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used to wash and process potatoes in commercial potato warehouse. Also used for domestic purposes in lavatories and for drinking water.

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 The land on which this well is located is owned by the Oregon Short Line Railroad Co. and is leased by Union Pacific Railroad. The claimant leases the land from Oregon Short Line and Union Pacific under a long term lease.



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 6 day of May, 1986.

George Hysen
(Claimant)

John L. Gaskill
Notary Public
Residing at Idaho Falls

My commission expires Indefinite

FOR DEPARTMENT USE ONLY

Received by <u>ML</u>	Date <u>5-9-86</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RAW</u>	Date <u>5-9-86</u>		claimant by:	
Fee received by <u>\$200.00</u>	Date <u>5-14-86</u>	# <u>39632</u>		
Published in <u>Post Register</u>				
Dates <u>5-22 + 5/29/86</u>				

IN THE MATTER OF:)

THE CLAIM OF)

GEORGE HEYREND)

AFFIDAVIT

State of Idaho)

County of BONNEVILLE)

GEORGE HEYREND

being first duly sworn,

deposes and says: 1. That I am the owner of Heyrend Produce Company, with the company warehouse located at the Cotton Railroad Siding, in Bonneville County, and more specifically, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, T. 1N, R. 37E, Boise Meridian.

2. That I have worked at the warehouse located at the above described location since September 1, 1942, and have personal knowledge that a well was being used inside the warehouse at the time of my employment there.

3. That the well has, since September 1, 1942, been used continuously for commercial processing of potatoes, and for domestic use until the date of this affidavit.

George Heyrend
(Signature)

Subscribed and sworn to before me this 6th day of May, 1986

John L. Gaskill
(Notary Public)

Residing at Idaho Falls
My Commission Expires undefinite

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Proof of Publication
The Post-Register

RECEIVED

JUN 13 1986

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 22nd day of May, 1986, last publication having been made on the 29th day of May, 1986, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 11th day of June, 1986.

J. Robb Brady
Leon R. Napier
Notary Public

My commission expires September 30, 1988.

B10

NOTICE OF CLAIMS TO WATER RIGHTS
The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

25-4312
HEYREND, GEORGE
BOX 1237, 165 W. 16TH ST., IDAHO FALLS,
ID 83401
Source: GROUNDWATER
Diversion Pt: SESE Sec 10 T 01N R 37E
Use: COMMERCIAL (0.1 CFS); DOMESTIC
(0.040 CFS)

Priority Date: 09/01/1942

In: SESE Sec 10 T 01N R 37E

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: May 22, 29, 1986

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

K. C. Wilson

Right Number _____

Applicant

George Heyrend

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

June 16, 1986

6/9/86

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SC

Date

6/23/86

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RECEIVED
JUN 18 1986

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 9, 1986

GEORGE HEYREND
BOX 1237
165 W. 16TH ST.
IDAHO FALLS

ID 83401

RE: Claim No. 25-4312

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 B. CAMERON
Eastern Regional Supervisor

Enclosure

sent 6-17-86

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 14, 1986

The Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

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 JUNE 9, 1986.

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:

25-4312

HEYREND, GEORGE

BOX 1237, 155 W. 16TH ST., IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SESE Sec 10 T 01N R 37E

Use: COMMERCIAL (0.1 CFS)
DOMESTIC (0.040 CFS)

Priority Date: 09/01/1942

In: SESE Sec 10 T 01N R 37E

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 5/22 & 5/29/86.

MICROFILMED

April 28, 1986

George Heyrend
Box 1237
165 W. 16th St.
Idaho Falls, Idaho 83401

Re: Claim Filing

Dear Mr. Heyrend:

Enclosed you will find the typed claim form which we prepared in my office and an accompanying affidavit. Please review the affidavit and claim for accuracy, and, if correct, sign both the claim and affidavit and return them to the Department of Water Resources along with the \$200.00 filing fee. Upon receiving the claim, affidavit and fee, we will process the claim for you.

Sincerely,

Gary Spackman
Sr. Resource Agent

RS/md

Enclosure

RECEIVED
APR 29 1986

