

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 26 1983

Department of Water Resources
Southern District Office

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

L.D.S. Church, Burley, to stake
1/2 Dennis R. Byington

P. O. Box 188, Burley, Idaho

(Name of Claimant)

83318

Telephone No. (208) 678-0404

(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) April 1, 1963

A claim is not acceptable on a ground water source with a priority later than March 26, 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)
ground water 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:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
(.09 cfs)	40 gal/min	Use domestic	Period of Use From 1-1	To 12-31
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
Quantity		Use	Period of Use From	To

- (4) (.09 cfs) 40 gal/min TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE 1/4 SE 1/4, Sec. 26 Twp. 10S Rge. 22E B.M., County of Cassia

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.
8" well 70' deep redug in July 1979

- (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
			NEX	NW 1/4	SW 1/4	SE 1/4	NEX	NW 1/4	SW 1/4	SE 1/4	NEX	NW 1/4	SW 1/4	SE 1/4	NEX	NW 1/4	SW 1/4	SE 1/4	
10S	22E	26												X				1	1

No. of acres 1.00

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

Domestic - for culinary use in church house and
sprinkling system next to building

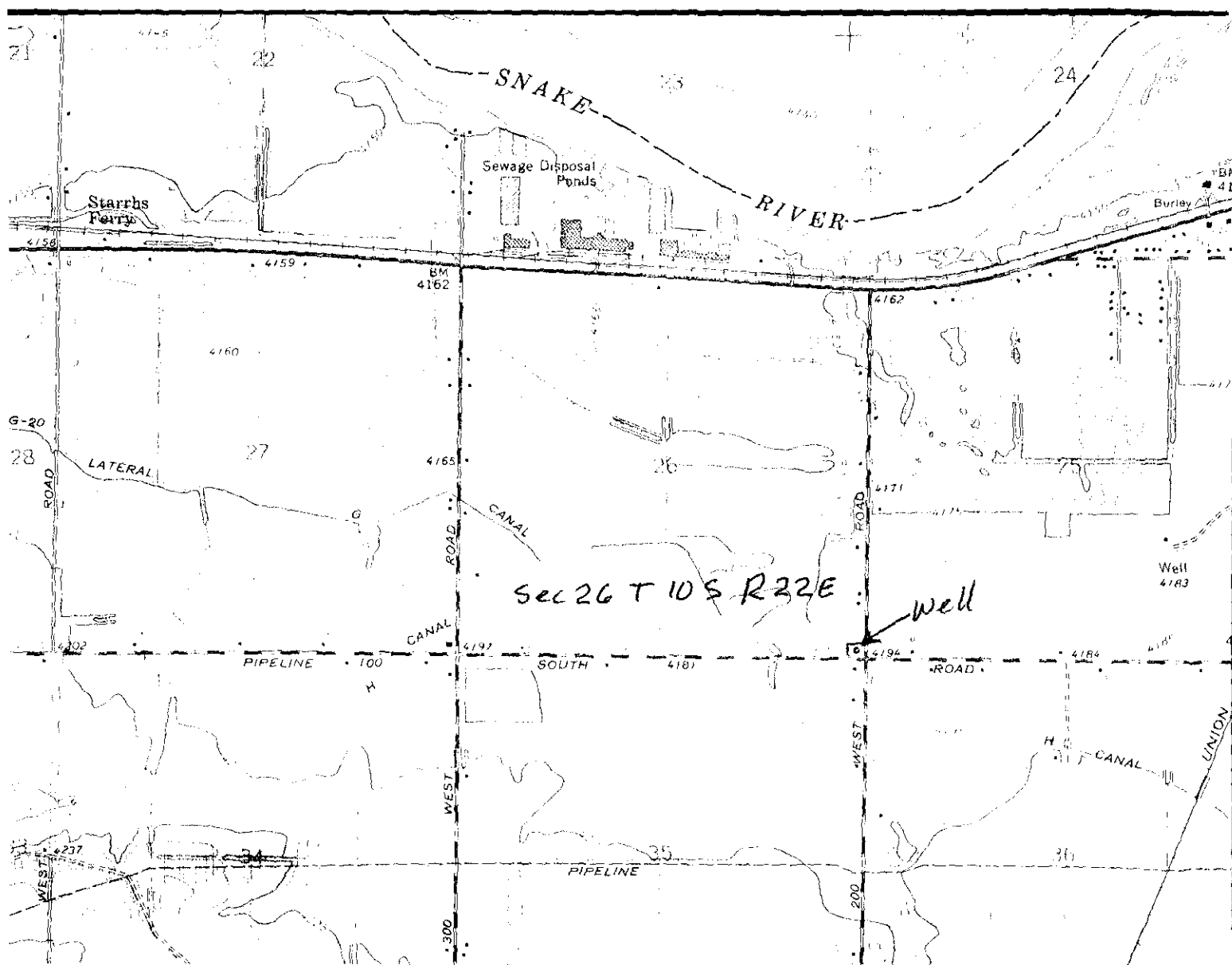
NOTE: Include here the type and number of stock watered:

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

The Church of Jesus Christ of Latter-Day Saints.

MICROFILMED

(8) Remarks The chapel address is 200 West 100 South, Burley, Idaho.



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 Cassia) 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.

[Signature]
(Claimant)

Sworn to before me this 20th day of May, 19 83

Michelle Krosch
Notary Public
Residing at Burley, Idaho

My commission expires 7/26/86

FOR DEPARTMENT USE ONLY

Received by <u>muya</u>	Date <u>5/27/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>1/27</u>	Date <u>6/24/83</u>		claimant by:	
30.00 \$20.00 fee received by <u>muya</u>	Date <u>6/6/83</u>	#30246		
Published in <u>south id press</u>				
Dates <u>9/8 + 9/15/83</u>				

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia.)
STATE OF IDAHO) ss.
Mary Sammons being first
duly sworn, deposes and says that she is the
Clark of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for *two*
consecutive weeks, commencing with the issue
dated *September* 19*83*, and ending
with the issue dated *September* 19*83*.

Subscribed and sworn to before me
this *26th* day of *Sept*
19*83*.

Samuel M. Mose Notary Public

Cost of Publication *8.213.2*
Notary Fee
Total Cost *8.213.2*

CHRISTENSEN, EARL J.
RT. 1 BOX 1708, BURLEY, ID 83318
Source: SPRING trib. to MARSH CREEK
Priority Date: 01/01/1960
Diversión Pt: NWSW Sec 26 T 10S R 24E
Use: STOCKWATER (0.02 CFS)
COMMERCIAL (0.02 CFS)
In: NWSW Sec 26 T 10S R 24E

L.D.S. CHURCH (OAKLEY STAKE)
P.O. BOX 93, OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/01/1955
Diversión Pt: NESW Sec 33 T 13S R 22E
Use: IRRIGATION (0.02 CFS)
In: NESW Sec 33 T 13S R 22E FOR 1 ACRES

L.D.S. CHURCH (OAKLEY STAKE)
P.O. BOX 93, OAKLEY, ID 83346
Source: SPRING trib. to SINKS
Priority Date: 07/01/1968
Diversión Pt: SESE Sec 36 T 12S R 23E
Use: DOMESTIC (0.02 CFS)
In: SESE Sec 36 T 12S R 23E

RAYBURN, NORMAN H. &/or RUTH A.
1101 E. 21ST. ST., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1959
Diversión Pt: SWNW Sec 28 T 10S R 23E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 28 T 10S R 23E FOR 1 ACRES

HEWARD, HARLEY L.
RT. 1 BOX 1324, BURLEY, ID 83318
Source: SPRING trib. to DUCK CREEK
Priority Date: 08/01/1970
Diversión Pt: NENE Sec 31 T 13S R 24E
Use: IRRIGATION (1.00 CFS)
In: NENE Sec 31 T 13S R 24E FOR 34 ACRES

HARDY, RANDY L.
RT. 1 BOX 284, OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 05/15/1954
Diversión Pt: SWNE Sec 29 T 13S R 22E
Use: IRRIGATION (1.00 CFS)
In: SWNE Sec 29 T 13S R 22E FOR
110 ACRES

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

GERRATT, REX &/or LARRY
RT. 3 BOX 353A, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1925
Diversión Pt: SENE Sec 03 T 11S R 23E
Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SENE Sec 03 T 11S R 23E FOR 1 ACRES

BAILEY, EDDIE J. &/or ELIZABETH A.
BOX 146, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1953
Diversión Pt: SESE Sec 15 T 11S R 24E
Use: IRRIGATION (0.14 CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 15 T 11S R 24E FOR 7 ACRES

MATTHEWS BROS., INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversión Pt: SESE Sec 33 T 13S R 22E
Use: IRRIGATION (0.60 CFS)
In: SWSW Sec 34 T 13S R 22E SESE Sec 33 T 13S R
22E FOR 22 ACRES

MATTHEWS BROS., INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 05/25/1956
Diversión Pt: LOT 03 (NENE) Sec 03 T 14S R 22E
Use: IRRIGATION (4.46 CFS)
In: SWNW SENW NESW NWSW SWSW SESE Sec 26 T
13S R 22E NENE SENE NESE SESE Sec 27 T 13S R 22E
NENE NWNE SWNE SENE NENW SWNW SENW NESE
NWSE SWSE SESE Sec 34 T 13S R 22E SENE NENW Sec
35 T 13S R 22E FOR 820 ACRES

WHITELEY, J. REED
WHITELEY, W.B.
RT. 1 BOX A, OAKLEY, ID 83346
Source: SPRING trib. to SINKS
Priority Date: 01/01/1957
Diversión Pt: SESE Sec 27 T 14S R 22E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NESW SESE Sec 27 T 14S R 22E

L.D.S. CHURCH, DECLO STAKE
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1953
Diversión Pt: Lt 2(NWNE) Sec. 6 T 11S R 24E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.08 CFS)
In: LOT 02 (NWNE) Sec 06 T 11S R 24E FOR 1
ACRES

MATTHEWS BROTHERS, INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 10/22/1954
Diversión Pt: SENE Sec 03 T 14S R 22E
Use: IRRIGATION (4.46 CFS)
In: SWNW SENW NESW NWSW SWSW SESE Sec 26 T
13S R 22E NENE SENE NESE SESE Sec 27 T 13S R 22E
NENE NWNE SWNE SENE NENW SWNW SENW NESE
NWSE SWSE SESE Sec 34 T 13S R 22E NENW NWNW
Sec 35 T 13S R 22E NESW NWSW SWSW SESE Sec
02 T 14S R 22E NENE SENE Sec 03 T 14S R 22E FOR
862 ACRES

HINMAN, ORRA
BOX 33, MURTAUGH, ID 83344
Source: WASTE WATER trib. to DRY CREEK
Priority Date: 05/01/1945
Diversión Pt: LOT 07 Sec 06 T 11S R 20E
Use: IRRIGATION (0.40 CFS)
In: SWSW Sec 06 T 11S R 20E FOR 2 ACRES

BRYANT PACKING CO.
1906 W. MAIN ST., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1942
Diversión Pt: SESE Sec 24 T 10S R 22E
Use: COMMERCIAL (0.05 CFS)
In: SESE Sec 24 T 10S R 22E

BAKER, WADE
RT. 2 BOX 2400, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 06/10/1957
Diversión Pt: SWSE Sec 03 T 12S R 22E SWNE Sec
10 T 12S R 22E
Use: IRRIGATION (0.60 CFS)
In: NESW SWSW SESE Sec 02 T 12S R 22E FOR 30
ACRES

CHRISTENSEN, EARL J.
RT. 1 BOX 1708, BURLEY, ID 83318
Source: SPRING trib. to MARSH CREEK
Priority Date: 05/01/1944
Diversión Pt: NWSW Sec 28 T 10S R 24E
Use: IRRIGATION (1.00 CFS)

**NWNW SENW NESW NWSW Sec 28 T 10S
R 24E FOR 40 ACRES**

BAILEY, FAUN SCHUTTE
BOX 133, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 09/19/1945
Diversión Pt: LOT 01 Sec 19 T 11S R 23E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.06 CFS)
In: NENE Sec 22 T 11S R 24E NWNE Sec 19 T 11S R
23E FOR 2 ACRES

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 550 W. FORT ST.,
BOISE, ID 83724
Source: UNNAMED STREAM trib. to SINKS
Priority Date: 06/01/1968
Diversión Pt: NWNE Sec 35 T 14S R 22E
Use: STOCKWATER (0.5 AF)
WILDLIFE (0.5 AF)
In: NWNE Sec 35 T 14S R 22E

BILL PLATTS MOBILE HOME COURT
RT. 2, 2032 HILLCREST LANE, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 05/15/1952
Diversión Pt: SWSW Sec 23 T 10S R 22E
Use: IRRIGATION (0.09 CFS)
DOMESTIC (0.44 CFS)
In: SWSW Sec 23 T 10S R 22E FOR 3 ACRES

L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1963
Diversión Pt: SESE Sec 26 T 10S R 22E
Use: DOMESTIC (0.09 CFS)
In: SESE Sec 26 T 10S R 22E

L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON,
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 07/01/1961
Diversión Pt: SENW Sec 29 T 10S R 23E
Use: IRRIGATION (0.02 CFS)
In: SENW Sec 29 T 10S R 23E FOR 1 ACRES

L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON,
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 11/15/1952
Diversión Pt: SWNE Sec 29 T 10S R 23E
Use: IRRIGATION (0.08 CFS)
In: SWNE Sec 29 T 10S R 23E FOR 4 ACRES

TUGAW, JOSEPH
MURTAUGH, ID 83344
Source: MOUNTAIN MEADOW CREEK trib. to SINKS
Priority Date: 04/01/1910
Diversión Pt: SENE Sec 21 T 12S R 20E SWNW Sec
22 T 12S R 20E
Use: IRRIGATION (1.20 CFS)
In: NESW NWNW SWNW Sec 14 T 12S R 20E FOR
80 ACRES

TUGAW, JOSEPH
MURTAUGH, ID 83344
Source: SPRING trib. to DRY CREEK, EAST FORK
DRY CREEK, EAST FORK trib. to DRY CREEK
Priority Date: 01/01/1900
Diversión Pt: LOT 05 (SWNW) Sec 06 T 14S R 20E
SESE Sec 36 T 13S R 19E
Use: IRRIGATION (1.00 CFS)
DOMESTIC (0.02 CFS)
In: NESE SESE Sec 36 T 13S R 19E LOT 05 (SWNW)
SENE Sec 06 T 14S R 20E FOR 25 ACRES

JAMES GRIMM & SONS
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 01/01/1934
Diversión Pt: SWSE Sec 36 T 10S R 20E
Use: DOMESTIC (0.06 CFS)
In: SWSE Sec 36 T 10S R 20E

BAKER, WADE
RT. 2, BOX 2400, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversión Pt: SWSE Sec 35 T 11S R 22E
Use: IRRIGATION (5.00 CFS)
In: NWNE SWNE NWSE SWSE Sec 35 T 11S R 22E LOT
01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03
(NENW) LOT 04 (NWNW) SWNW SENW NESE NWSE
SWSE SESE Sec 02 T 12S R 22E LOT 04 (NWNW) LOT
05 (SWNW) Sec 01 T 12S R 22E FOR 659 ACRES

BAKER, WADE
RT. 2 BOX 2400, BURLEY, IDAHO 83318
Source: GROUNDWATER
Priority Date: 04/01/1961
Diversión Pt: NWSE Sec 36 T 11S R 22E
Use: IRRIGATION (5.00 CFS)
In: NWNE SWNE NWSE SWSE Sec 35 T 11S R 22E LOT
04 (NWNW) LOT 05 (SWNW) Sec 01 T 12S R 22E
LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03
(NENW) LOT 04 (NWNW) SWNW SENW NESE NWSE
SWSE SESE Sec 02 T 12S R 22E FOR 659 ACRES

45-4217

CRANNEY, HAROLD KEITH
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/15/1955
Diversion Pt: SESE Sec 31 T 12S R 22E
Use: IRRIGATION (3.00 CFS)
In: NENE NWNE SWNE NENW SENW NESW NWSE Sec
30 T 12S R 22E NESW SESW NESE NWSE SWSE SESE
Sec 31 T 12S R 22E FOR 520 ACRES

45-4218

HUTCHISON, WINSTON
RT. 3 BOX 3224, BURLEY, ID 83310
Source: GROUNDWATER
Priority Date: 07/01/1958
Diversion Pt: NENE Sec 08 T 11S R 24E
Use: IRRIGATION (0.05 CFS)
In: NENE Sec 08 T 11S R 24E FOR 2 ACRES

45-4219

CRAWFORD, FRANK R. &/or JEANE
2310 CONANT, BURLEY, ID 83319
Source: GROUNDWATER
Priority Date: 07/07/1948
Diversion Pt: SESE Sec 15 T 11S R 23E
Use: IRRIGATION (2.00 CFS)
In: NESE SESE Sec 15 T 11S R 23E FOR 80 ACRES

45-4220

GRAHAM, RAY C.
1655 JACKSON AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 08/01/1947
Diversion Pt: NWNE Sec 25 T 10S R 22E
Use: IRRIGATION (0.05 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 25 T 10S R 22E FOR 1 ACRES

45-4221

U.S. DEPT OF INTERIOR
BUREAU OF LAND MGMT.,
550 W FORT ST., BOISE, ID 83724
Source: UNNAMED STREAM trib. to ALASTRA
PONDS 1 & 2
Priority Date: 07/01/1965
Diversion Pt: NWNE SENE Sec 02 T 15S R 22E
Use: STOCKWATER (1.0 AF)
WILDLIFE (0.5 AF)
In: NWNE SENE Sec 02 T 15S R 22E

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

A. KENNETH DUNN, Director

Published in the South Idaho Press on September
8 and 15, 1983.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

Oct. 5
~~SEPTEMBER 23, 1983~~

L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON
P.O. BOX 188
BURLEY

ID 83318

RE: Claim No. 45-4209

Dear Claimant:

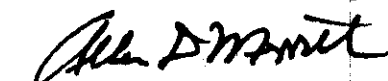
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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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:

45-4209-

L.D.S. CHURCH (BURLEY STAKE)

C/O DENNIS R. BYINGTON, P.O. BOX 188, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 04/01/1963

Diversion Pt: SESE Sec 26 T 10S R 22E

Use: DOMESTIC (0.09 CFS)

In: SESE Sec 26 T 10S R 22E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/8 & 9/15/83.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 1, 1983

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

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 SEPTEMBER 26, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

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