

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 Don R. Mabey (Name of Claimant)
2199 South 900 East, Bountiful, Utah 84010 (Mailing Address) Telephone No. (801) 292-5732 (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, 1930

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)
Monroe Canyon Stream tributary to sinks

(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>.015 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
Quantity		Use		Period of Use From	To
(4)	<u>.015 cfs</u>	TOTAL QUANTITY USED.			
(cfs, ~~af~~)					

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(#1) NE ¼ NE ¼, Sec. 33 Twp. 7 S Rge. 40 E B.M., County of Caribou
Additional points of diversion: (#2) NE ¼ SW ¼ and (#3) NW ¼ SE ¼ Sec. 27 T7S R40E

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. Water was originally dipped directly from stream or stored in a small reservoir and then dipped for use more recently a 2-inch galvanize pipeline which conveys the water from points #2 and #2 has been used.

(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.

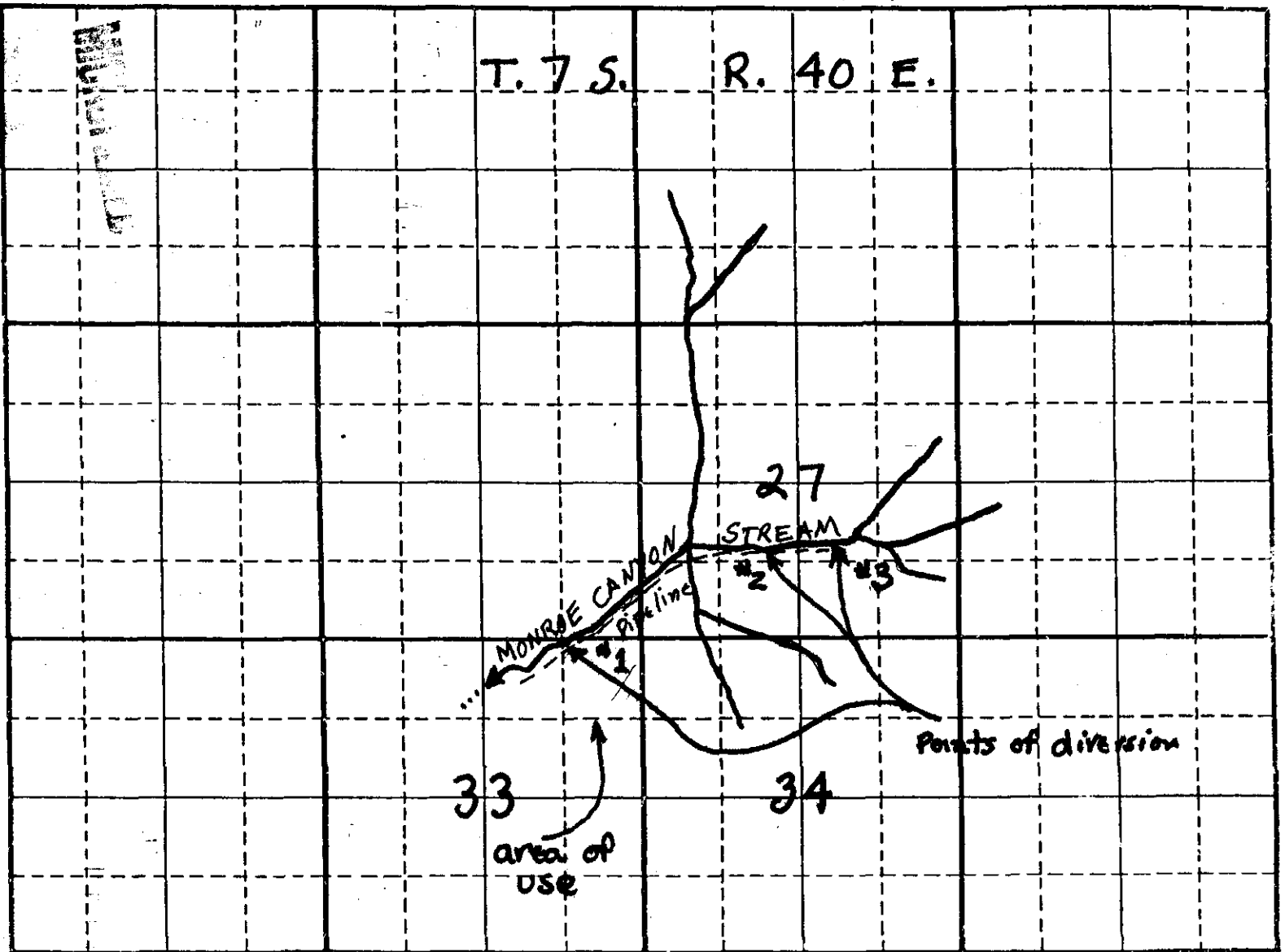
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	40 E	33	X																

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water was first used in a cabin that was constructed at the time the land was homesteaded for a single family, more recently a newer single family dwelling has been built on the site and water is used therein.

NOTE: Include here the type and number of stock watered:
If you are claiming water as a member of an organization, list name of organization:

- (8) Remarks The stream drains Monroe Canyon, sometimes called Mabey Canyon, and what water is not used sinks into the ground before it leaves the ranch. The drainage is toward 18-mile Creek and the Portneuf 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) ss.
County of)

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 12th day of September, 19 83

W. R. Mabey
(Claimant)

Jackie Lynn Cayias
Notary Public
Residing at 179 West 1290 Sandy

My commission expires 10-29-86

FOR DEPARTMENT USE ONLY

Received by BP Date 9/16/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Kaw Date 9-28-83 claimant by: _____
\$30.00 fee received by BP Date 9/16/83 # 29679
Published in Coe Bay City Sun
Dates 10/1/84 10/20/84

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

13th day of
October, 1983

The date of the last publication

being the 20th day of
October, 1983

Mark Steele

Subscribed and sworn to be-

fore me this 21st day
of October, 1983

Wendy A. Hite

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984

PUBLIC NOTICE

First Time Published

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4447

BARNETT, CORA M.
505 SOUTH 1100 EAST,
BOUNTIFUL, UT 84010
Source: MONROE CANYON
trib. to SINKS

Priority Date: 04-01-1890
Diversion Point: SESE Sec 27
T 07S R 40E NWNW Sec 34 T
07S R 40E

Use: STOCKWATER (0.2290
CFS)

In: SESE Sec 27 T 07S R 40E
NWNW Sec 34 T 07S R 40E

29-4448

MABEY, DON R.
2199 SOUTH 900 EAST,
BOUNTIFUL, UT 84010
Source: MONROE CANYON
trib. to SINKS

Priority Date: 04-01-1930
Diversion Point: NENE Sec 33
T 07S R 40E NESW NWSE Sec
27 T 07S R 40E

Use: DOMESTIC (0.0150
CFS)

In: NENE Sec 33 T 07S R
40E

29-4449

MABEY, DON R.
2199 SOUTH 900 EAST,
BOUNTIFUL, UT 84010
Source: MONROE CANYON
trib. to SINKS

Priority Date: 04-01-1890
Diversion Point: NWNW
SWNW NWSW SWSW NESW
NWSE NESE Sec 27 T 07S R
40E NENE Sec 33 T 07S R 40E

Use: STOCKWATER (0.2290
CFS)

In: NWNW SWNW NESW
NWSW SWSW NESE NWSE
Sec 27 T 07S R 40E NENE Sec
33 T 07S R 40E

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

Director

Published Oct. 13 and 20, 1983
in the Caribou County Sun.

RECEIVED

RECEIVED

NOV 8 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 31, 1983

DON R. MABEY
2199 SOUTH 900 EAST
BOUNTIFUL UT 84010

RE: Claim No. 29-4448

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 31, 1983

RE: Claim to a Water Right No. 24-4074 AMENDED	HADERLIE
29-4449	MABEY
29-4448	"
29-4447	BARNETT
Notice of Correction No. 13-7068	GIBSON

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

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 October 13 and 20, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith Carlson

Right Number 29 4448

Applicant DON R. MABEY

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. Single family domestic

FINAL REGIONAL PROCESSING REVIEW:

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

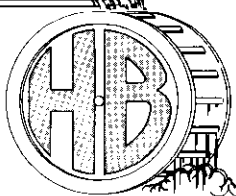
By Ernest Carlson Date Nov. 10, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 11-17-83





HIGGINSON - BARNETT, CONSULTANTS

106 West 500 South, Suite 101
Bountiful, Utah 84010
(801) 292-4662

September 13, 1983

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

ATTENTION: Keith Wilson

You returned two water user claims which were filed with the Department on June 30. In your transmittal letters of July 21 you asked for certain changes and indicated that if the documents were returned within 60 days they could be filed with the original filing date and filing fee.

I have amended the claims, as per your request, with some clarification via a phone call with Mr. Ernest Carlson on September 9. In keeping with your request, I have prepared a third water user claim which separates the uses that were originally claimed under one claim but with two priority dates. Mr. Carlson indicated that if we were to make that amendment so there are now two claims, each having a single priority date, we could file the new claim at the same filing fee as was acceptable prior to the June 30 deadline. Therefore, in addition to our original \$60 check you will find a \$30 check enclosed.

I trust these applications will be found to be in order and we will appreciate hearing from you as to their claim number once you have had a chance to complete the receipt of these claims.

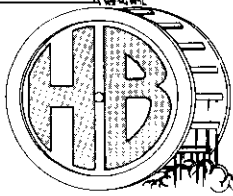
Sincerely,

Jack A. Barnett
Jack A. Barnett *mk*
P.E.

Enclosures

R. Keith Higginson, P.E.

Jack A. Barnett, P.E.



HIGGINSON - BARNETT, CONSULTANTS

106 West 500 South, Suite 101
Bountiful, Utah 84010
(801) 292-4662

June 30, 1983

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Sirs:

Please find enclosed \$60 for the filing of two "Claim to a Water Right". These filings concern my family's ranch and should any questions arise, I would appreciate your contacting me directly.

Sincerely,


Jack A. Barnett
P.E.

Enclosures

P.S. Affidavit to follow.

RECEIVED
JUL 1 1983



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

July 21, 1983

Higgenson-Barnett, Consultants
106 West 500 South, Suite 101
Bountiful, UT 84010

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
- _____ Complete mailing address.
- ✓ _____ Date of priority (month, day, and year). *only one date*
- ✓ _____ Source of water. Monroe Canyon tributary to Sinks
- _____ Quantity claimed to have been used.
- ✓ _____ Nature of use and period of use. Stockwater *can be listed under one heading of stockwater item 6B describes the type and number of stock.*
- _____ Location of point(s) of diversion.
- _____ Location of place of use (acres irrigated if water is claimed for irrigation).
- _____ Filing Fee (Amount \$_____).
- _____ Signature.
- _____ Notarization of signature.
- ✓ _____ Other: item # 2 save remarks for item # 8 also refer to Monroe Canyon also known as (Mabey Canyon)
- "Sinks" are used at you request but this is not a good term to use to describe a Claim losing stream*

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Encl: Check #97-101 for \$60

Sincerely,

Keith Carlson



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

*Revised as
per phone call
with E. Carlson
Sept 7, 1983
JAB*

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
 - _____ Complete mailing address.
 - ✓ Date of priority (month, day, and year).
 - ✓ Source of water. Monroe Canyon tributary to Sink
 - _____ Quantity claimed to have been used.
 - ✓ Nature of use and period of use. Stock water (can be under one heading)
 - ✓ Location of point(s) of diversion. item 6 B describes uses.
 - _____ Location of place of use (acres irrigated if water is claimed for irrigation). also include NE 1/4 NW 1/4 Sec 34 in item #5 as is shown on map
 - _____ Filing Fee (Amount \$ _____).
 - _____ Signature.
 - _____ Notarization of signature.
 - ✓ Other: item # 2 remarks should be in item # 8
- "Sinks" are used at your request but this is not a good term to use to describe a losing stream*
- Point is in NW NW This is what is shown on map*
- OKed by Carlson*

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

Keith C Carlson

23-4446-

MABEY, DON R.

2199 SOUTH 900 EAST, BOUNTIFUL, UT 84010

Source. MONROE CANYON trib. to SINKS

Priority Date. 04/01/1980

Diversion Pt. NENE Sec 33 T 07S R 40E NESW NWSE Sec 27 T 07S R 40E

Use. DOMESTIC (0.0150 CFS)

In NENE Sec 33 T 07S R 40E



RECEIVED
MAY 10 1980

29-4448

MABEY, DON R.

**2199 SOUTH 900 EAST,
BOUNTIFUL, UT 84010**

**Source: MONROE CANYON
trib. to SINKS**

Priority Date: 04-01-1930

**Diversion Point: NENE Sec 33
T 07S R 40E NESW NWSE Sec
27 T 07S R 40E**

**Use: DOMESTIC (0.0150
CFS)**

**In: NENE Sec 33 T 07S R
40E**

1003 East Bountiful Hills Drive
Bountiful, Utah 84010

*Barnett &
Makuy.
Claims*



Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

