

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-12201
Date Received: 12/12/1988
Receipt No: S004436
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLYDE MCCLAIN 208-543-5923
Address: RT 4, BOX 382
BUHL, ID 83316
AND/OR
Name: TOM MCCLAIN 208-543-5923
Address: RT 4, BOX 382
BUHL, ID 83316
2. Date of Priority: DEC 31, 1940
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
10S 16E 8 SW NE TWIN FALLS
5. Description of diverting works:
WELL & PUMP
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
COMMERCIAL 01/01 12/31 0.040
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
C/1 OFFICE

A47-12201

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Date: 12/12/88

MICROFILMED

MAR 12 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	16E	8	SW NE		COMMER	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
WELL USED FOR IDAHO SEED & MARKETING OFFICE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Clyde C. Clark Date: 12-12-88
Date:

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 12 day th
of Dec 19 88 Lois White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

Water Right Number - A47-12201

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MC CLAIN

CLYDE

1 - RT 4, BOX 382

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-5923

MC CLAIN

TOM

1 - RT 4, BOX 382

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-5923

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/31/1940 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County
10S	16E	8	SW NE		(83)	TWIN FALLS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
10 - COMMERCIAL		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	16E	8	SW NE			10	COMMERCIAL	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - WELL & PUMP
+ - - Non-Irrigation Use - C/1 OFFICE
+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
WELL USED FOR IDAHO SEED & MARKETING OFFICE.

MICROFILMED
MAR 12 1993

Water right number - A47-12201

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - +

+ - - - - Old Water Right Numbers - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - +

No Comments Found

+ - - Audit Fields - - +

09/20/91 ROBERTSO

+ - - - - Adjudication Rights Dates and Flags Area - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 12/12/1988

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - S004436
POU Ownership Flag - Y
Name Connector - AND/OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

MICROFILMED
MAR 12 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-12201
CLYDE MC CLAIN
TOM MC CLAIN
RT 4, BOX 382
BUHL

ID 83316

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

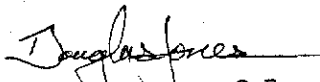
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
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notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996