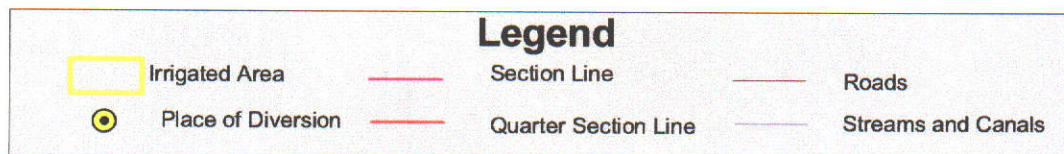
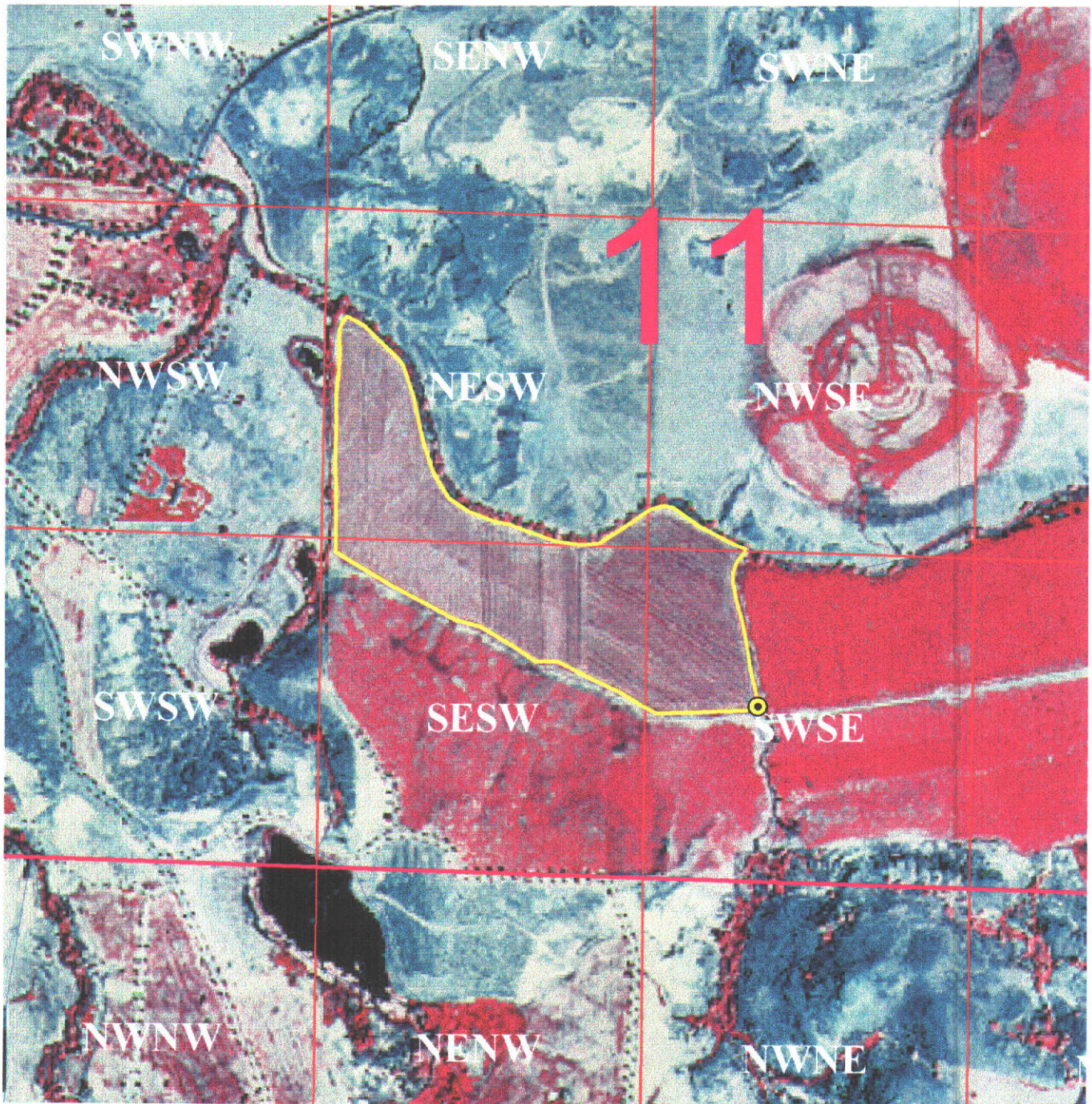


Water Right Claim Number 47-04122
Township , 9S14E

02/21/2001



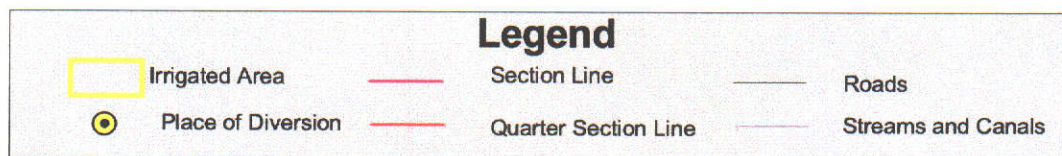
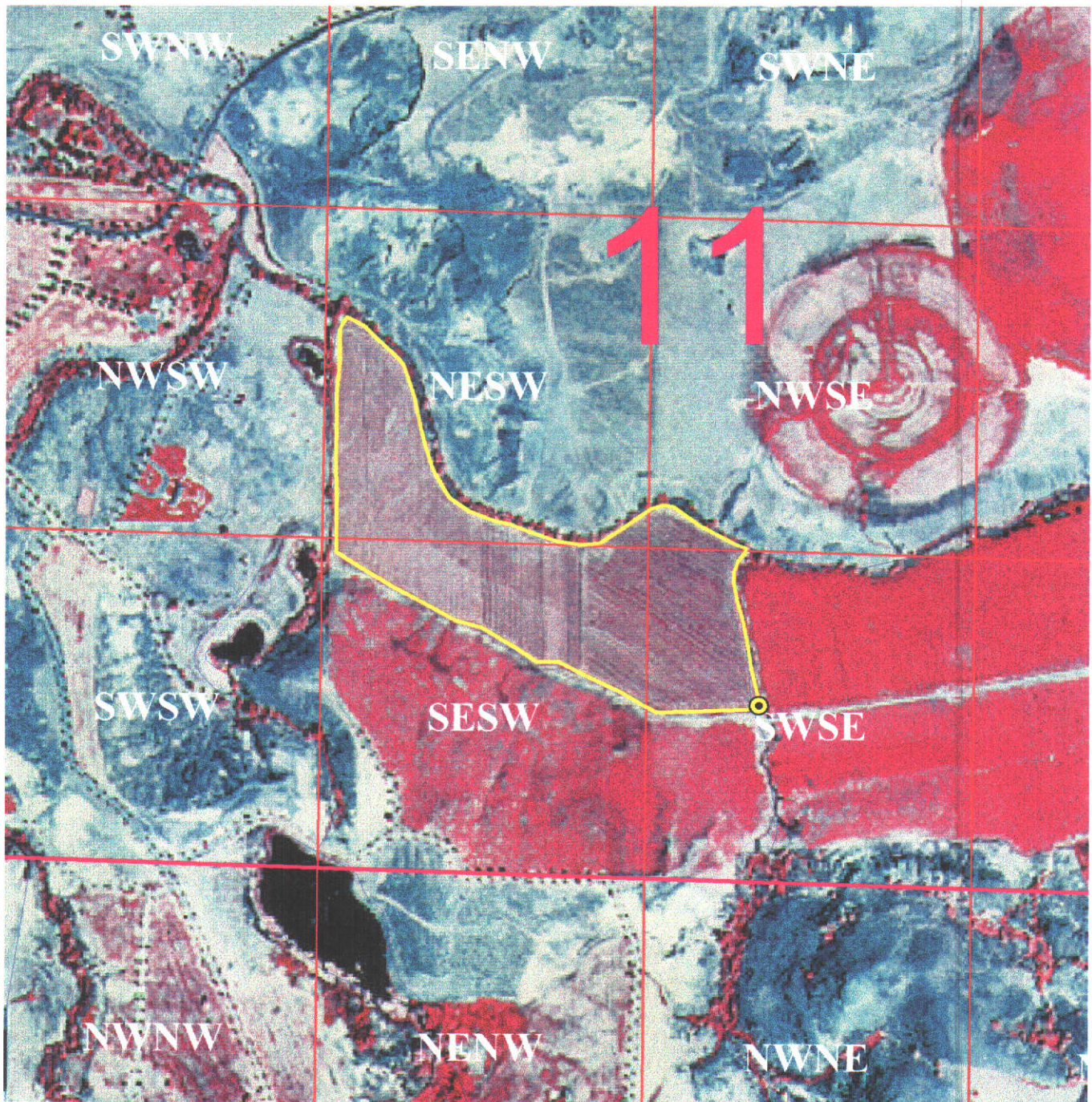
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04122
Township , 9S14E

02/21/2001



400 0 400 800 Feet



 SPATIAL
DYNAMICS

02/21/2001



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: A47-04122
Date Received: 11/18/1988
Receipt No: S003919
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THAINE ROBERTS 208-543-4971
Address: ROUTE 2
BUHL, ID 83316
2. Date of Priority: APR 01, 1910
3. Source: J-3 COULEE Trib. to: MUD CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 11 | SW | SE | | | TWIN FALLS |
5. Description of diverting works:
CHECK DAM AND DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/01 | 0.540 | | |
7. Total Quantity Appropriated is:
0.540 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 99.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	11	NE	SW		IRR	9.0
			SE	SW		IRR	14.0
			NW	SE		IRR	2.0
			SW	SE		IRR	8.0

Section Acres 33.0

A47-04122

Page 1

Date: 11/18/88

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Total Acres 33.0

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:

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): G. Hain Roberts Date: Nov. 18, 1988

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-04122

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

January 26, 1995 1:12pm

CUSTOMER

THAINE ROBERTS

SUBJECT: evidence of priority FOR A47-04122

He brought in an affidavit and a printout from the canal company showing that the canal shares had been sold off the property in 1949.

MICROFILMED

NOV 29 1996

IN THE MATTER OF:

A47-4122

State of Idaho

County of Twin Falls

AFFIDAVIT

Thaine Roberts being first duly sworn, deposes and

says: This adjudication claim was made to replace a water right that was sold on 12-14-49 by Glen King to William & allene. The stream is a free flowing year-around stream located in E $\frac{1}{2}$ of SW $\frac{1}{4}$ - 11-9-14 and on Canal Co map as T3 Coulee. With the home building that is going on constantly on adjoining properties I wish to protect my irrigation rights on the property in E $\frac{1}{2}$ of SW $\frac{1}{4}$ of 11-9-14, also to protect myself from any possible diversion from or dams in T3 Coulee that could dry up the stream place.

I have owned the property since 1954 and have used the water in the stream every year since I purchased the place. I have 100 shares of Canal Co water but I have 140 acres that is or can be under irrigation.

Thaine Roberts (signature)

On this 26th day of January, in the year of 1995
personally appeared Thaine Roberts
known or identified to me to be the person whose name
is subscribed to the within instrument and acknowledged
to me that he executed the same.

Pamela McCaen (notary public)

Residing at Buhl, Idaho

My commission expires 6/20/97

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NOV 29 1996

FROM: 11-9-14: E $\frac{1}{2}$ SW

NAME: Glen King (R.R. Love)

Cert. #14240

TO: William G. Allen

Cert. #17844

SE NW & NE SW: 18-11-19

NO. OF SHARES: 51.11

DATE OF BOARD ACTION: 12-14-49

MICROFILMED

NOV 29 1996



DEPARTMENT OF WATER RESOURCES

Southwest Region, 222 Shoshone St. East, Twin Falls, Idaho 83402 (208) 736-3033

Governor PHILIP E. BATT

A. KEITH HIGGINSON
Director

January 10, 1995

A47-04122

THAINE ROBERTS

ROUTE 2

BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

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.

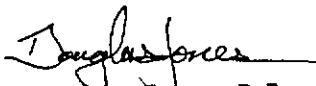
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in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

January 10, 1995
page 2

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.

MICROFILMED

NOV 29 1996

Log for claim 47-04122

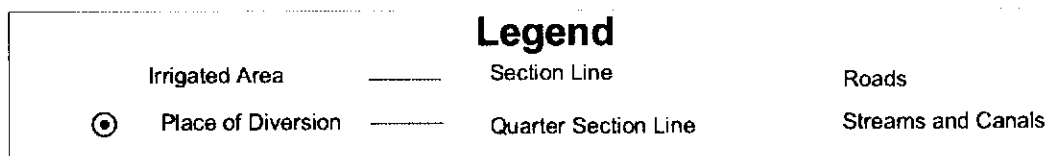
Spatial Dynamics LTD

2/20/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	11	NESW	9	7.7	
09s14e	11	SESW	14	10	
09s14e	11	NWSE	2	0.9	
09s14e	11	SWSE	8	5.8	
Totals:			33	24.4	

Water Right Claim Number 47-04122
Township , 9S14E

02/21/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04122
Township , 9S14E

02/21/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04122
Township , 9S14E

02/21/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |



400 0 400 800 Feet



SPATIAL
DYNAMICS

DATE: 01/30/01
PAGE: 97

Audit: 11/18/88 CLELLAND 03/30/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CL No.
RECEIVED

AUG 15 1983

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

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 Thaine Roberts

(Name of Claimant)

Route 2, Buhl, Idaho 83316
(Mailing Address)

(Zip Code)

Telephone No. 543-4971

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, 1910

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)

/water/water/ J-3 Coulee tributary to Mud Creek

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.54 cfs</u>		Use <u>irrigation</u>		Period of Use From <u>Apr 1</u>	To <u>Oct 1</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) 0.54 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SW 1/4 SE 11 Twp. 9S Rge. 14E B.M., County of Twin Falls

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. Check dam & ditch to gravity irrigation system

- (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	
9S	14E	11									9			14		2	8		33

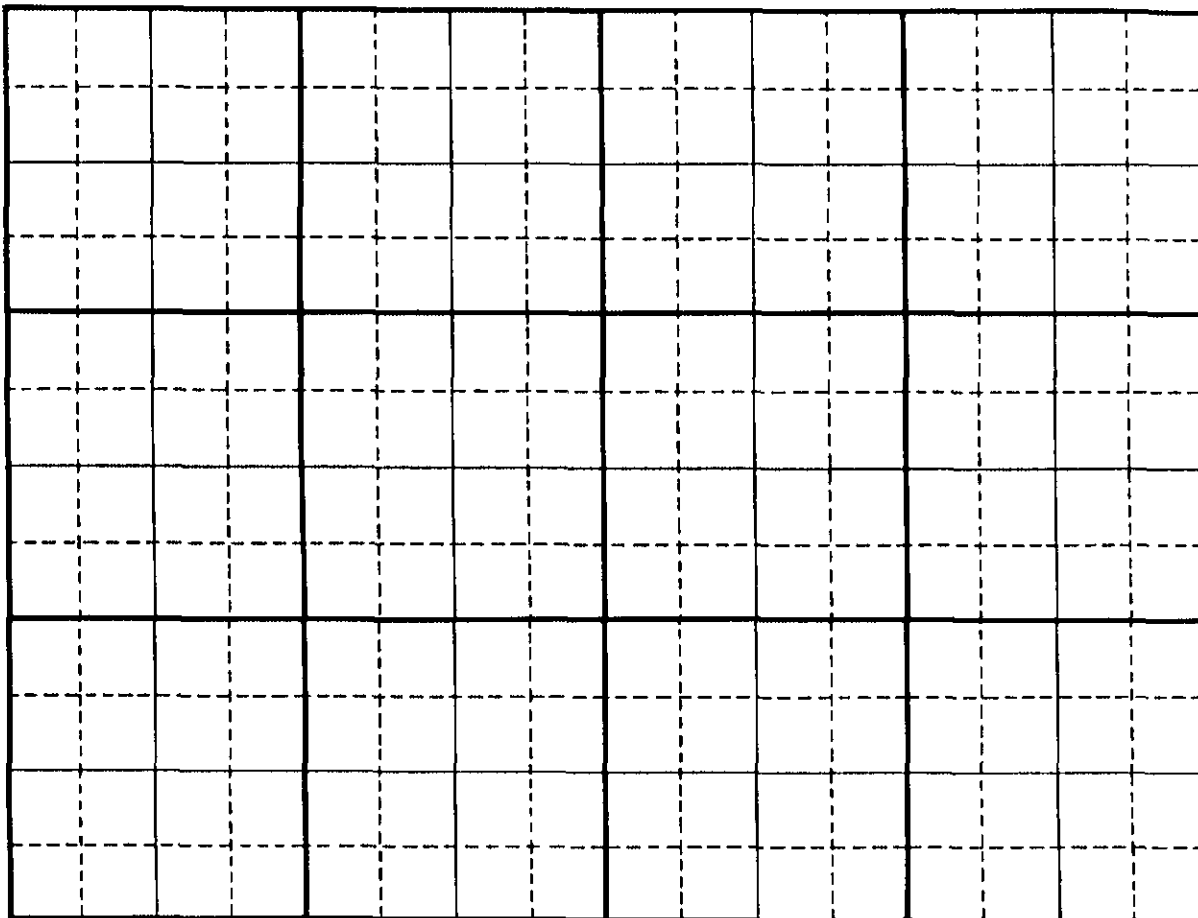
No. of acres 33

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

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:

(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 }
County of Twin Falls } 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.

Thomas A. Roberts
(Claimant)

Sworn to before me this 15th day of August, 1979.

Mary A. Hill
Notary Public
Residing at Twin Falls, Id. 83301

My commission expires Sept 1

FOR DEPARTMENT USE ONLY

Received by J.E. Stanton Date 8-15-79 Exception filed by: _____ Date _____
Prelim. check by LA Date 8-15-79
\$20.00 fee received by JES Date 8-15-79 \$13390
Published in Times-Journal
Dates 8/30 & 9/6/79