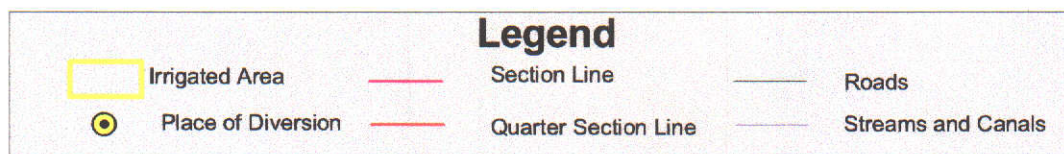
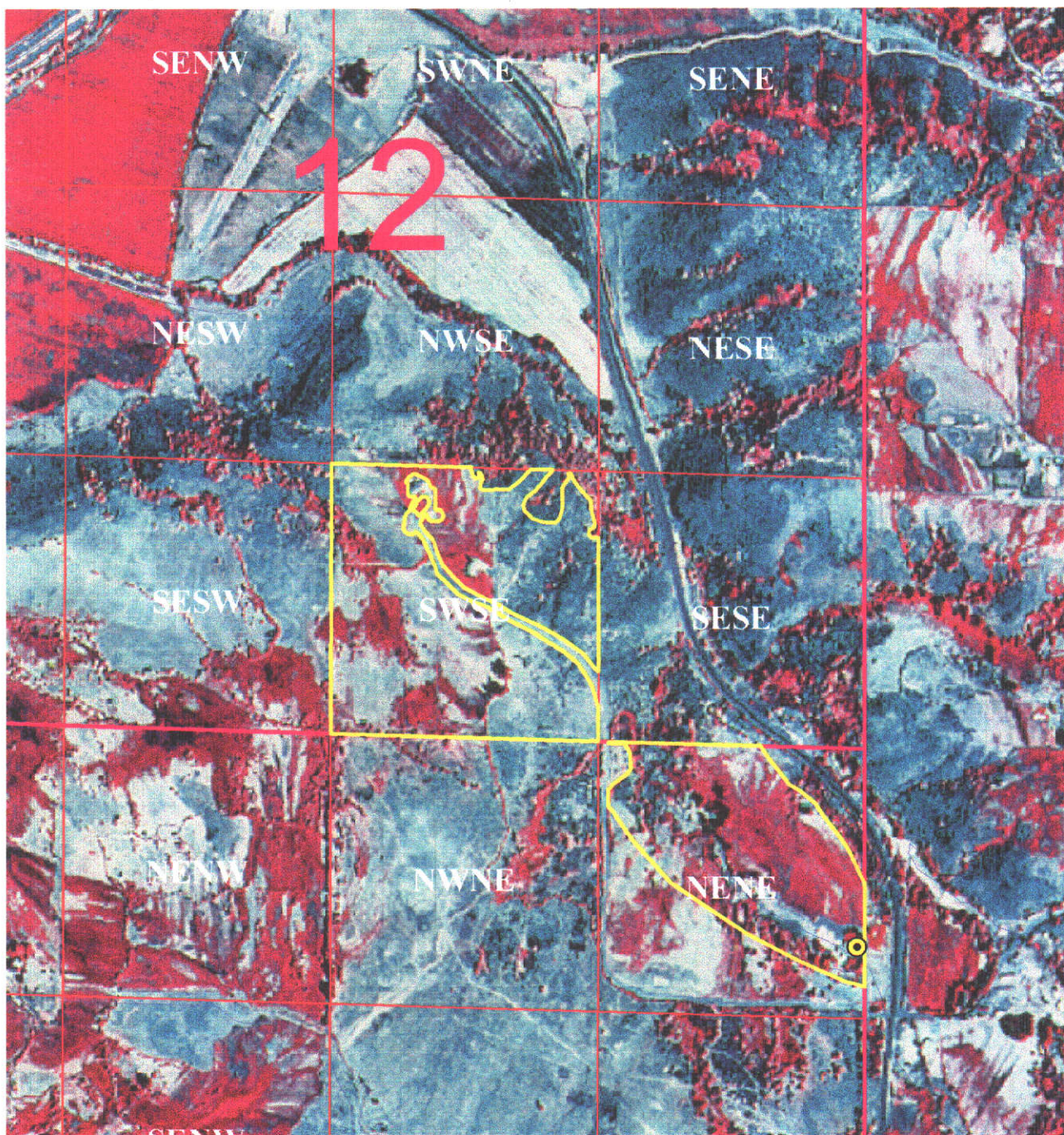


Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001

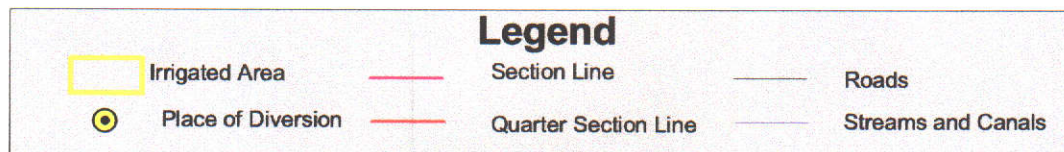
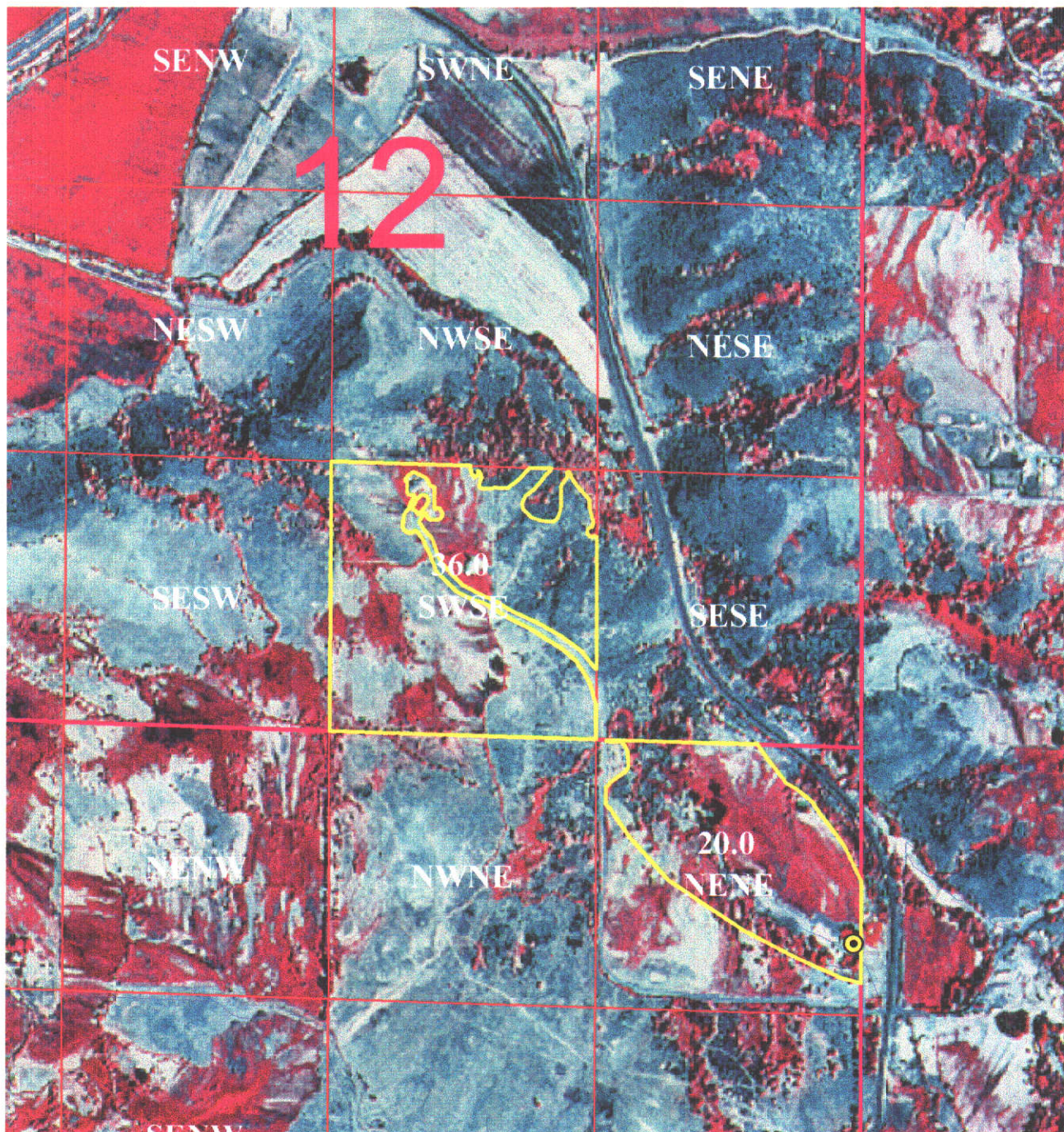


500 0 500 1000 Feet

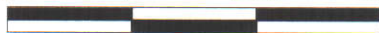


Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001

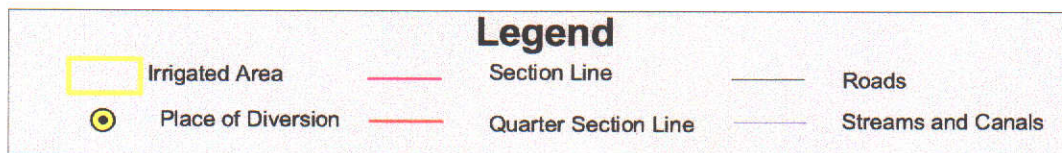
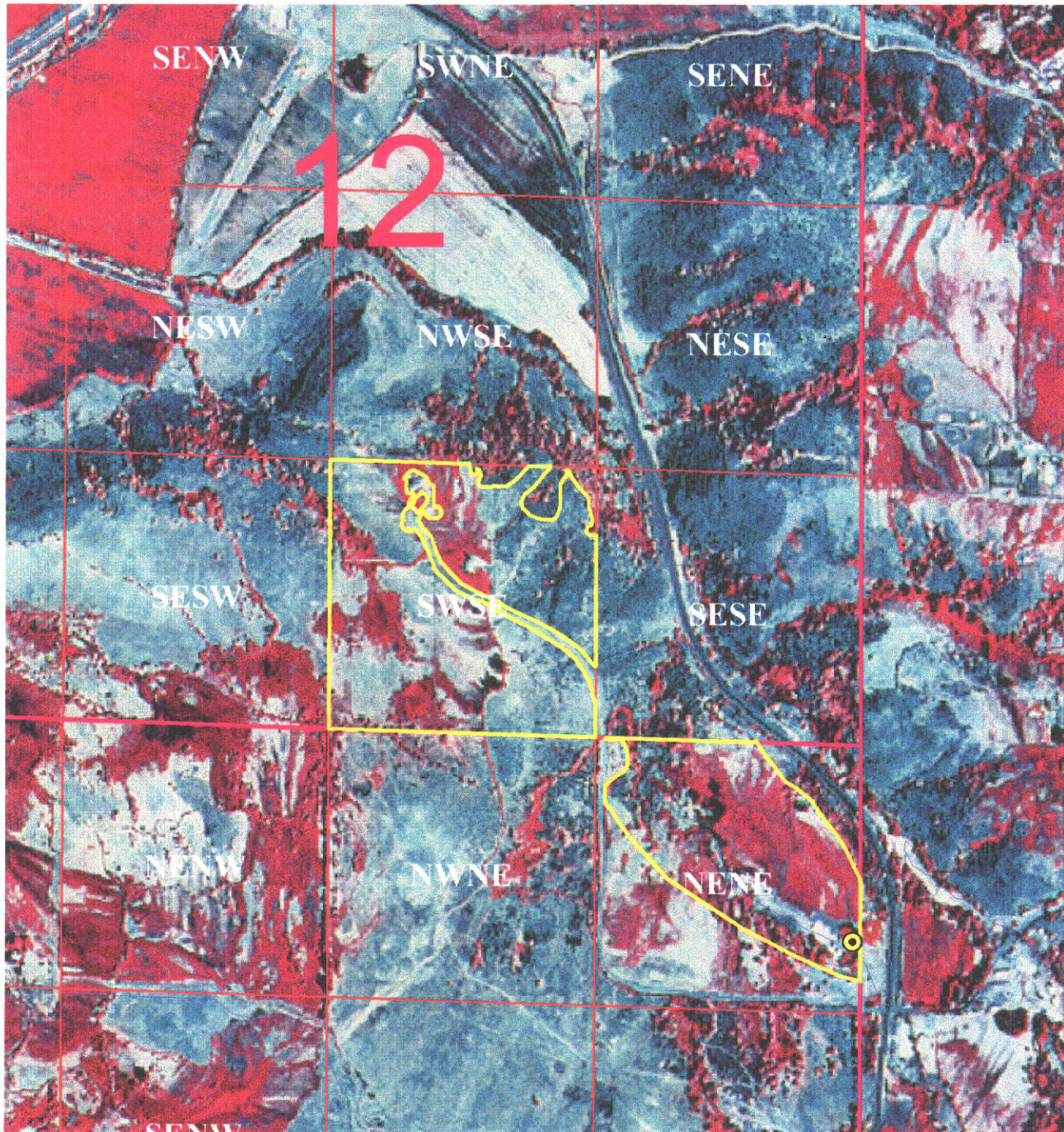


500 0 500 1000 Feet



Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001



500 0 500 1000 Feet



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: **A47-04167**

Date Received: 1/ 9/1989

Receipt No: S005782

Received By: address change *JK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK J HOLESSENSKY 208-543-6945

Address: 4477A VALLEY STEPPE DR
BUHL ID 83316

Name: BARBARA HOLESSENSKY
Address: 4477A VALLEY STEPPE DR
BUHL ID 83316

2. Date of Priority: MAR 15, 1929

3. Source: UNNAMED STREAM Trib. to: SILO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	13	NE	NE			TWIN FALLS

5. Description of diverting works:

EARTHEN CHECK DAM DELIVERING TO AN EARTHEN DITCH & A GATED PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

S/35 RANGE.

MICROFILMED

NOV 29 1986

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

[] Water Right Number(s):

A77-04167

[] Old Mailing Address:

RL4 Bx 239
* RL4

[] New Mailing Address:

4477 A Valley Steppes Dr.

[] New Telephone Number: ()

[] Signature of Claimant(s):

Richard Hobbs

Date:

3-15-95

For IDWR use only:

Initial Review and Data Entry

Date: By:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

Further Action Needed:

MICROFILMED

NOV 29 1996

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region
No. 13777 A

FOR 15 SHARES

Issued to

Harry H. Barry
22

Barry H. Barry

79 1/4 E 13-9-14

Dated May 15, 1941

No. Original Certificate	No. Original Shares	No. Shares Transferred
<u>12336A</u>	<u>80</u>	<u>15</u>

RECEIVED Certificate No. 13777A

For 15 Shares, this 6

day of July, 1941

Harry H. Barry

Incorporated Under the Laws of the State of Idaho

No. 13777 A

15 Shares

Twin Falls Canal Company

Principal Place of Business: Twin Falls, Idaho

January 15 1941

This is to Certify That

Harry H. Barry

is the owner of

Fifteen

Shares of the Capital Stock of the Twin Falls Canal Company.

This Certificate entitled the owner thereof to receive one-eightieth of a cubic foot of water per second of time per acre

for the following described land: 79 1/4 E 13-9-14 Section 13, Twp. 9.

South Range 14 E. S. M.

in accordance with the terms of the contract between the State of Idaho and the Twin Falls Land and Water Company.

and this Certificate also entitles the owner to a proportionate interest in the dam, canal, water rights and all other rights and franchises of the Twin Falls Land and Water Company, based upon the number of shares finally sold, in accordance with the said contract between the said Company and the State of Idaho.

In Witness Whereof, the said Corporation has caused its corporate name and seal to be hereto affixed.

Numbered 13809A Twin Falls Canal Company

Journal 13 2 Feb 28 By John M. Thomas President
Attest Samuel D. Shick Secretary

RECEIVED

MAR 15 1925

AFFIDAVIT

Department of Water Resources
Southern Region

STATE OF

Idaho

COUNTY OF

Twin Falls

SS.

Before me

J A Ross

a Notary Public

in and for

said County and State

personally appeared this

16th

day of

December

A.D. 192

2

George W Salisbury, Known to me to be the identical

party whose name is affixed hereto as affiant; and, upon being

duly sworn, DEPOSES AND SAYS:

That he is a registered stockholder of the Twin Falls Canal Company, of Twin Falls, Idaho, under stock certificate Numbered 6313A on the stock register of said Company, evidencing title to eighty shares of stock of the said Company, appurtenant to the following described property, to-wit:

N 1/2 NE 1/4 Section 13 T26 R14 E B M

That the said stock certificate while in the possession of the said George W Salisbury, affiant, was lost or destroyed; That this affidavit is made for the purpose of inducing the said Twin Falls Canal Company, to issue to the said affiant, George W Salisbury, a duplicate stock certificate of the said Twin Falls Canal Company, of the same tenor and effect as the one lost or destroyed, viz, Number 6313A. That the said stock certificate Numbered 6313A has not been hypothecated or pledged for the payment of any debt. That the said George W Salisbury, for himself, his heirs, his executors, and his assigns, hereby agreed to save and keep harmless the said Twin Falls Canal Company against any and all parties claiming or to claim, damages or claims of any nature, by reason of the issuance of said duplicate stock certificate.

AND further affiant sayeth not.

George W Salisbury
Affiant.

Subscribed and sworn to before me

J A Ross

a Notary Public

in and for

County of

Twin Falls State of Idaho

this

16th

day of

December

A. D. 192

J A Ross

34126
Certificate N^o 6313 A

For 80 SHARES

ISSUED TO

George W. Salisbury
B. R.

7276-13-9-14

Dated 4 - 28, 1918

NO. ORIGINAL CERTIFICATE	NO. ORIGINAL SHARES	NO. SHARES TRANSFERRED
3698	80	

RECEIVED Certificate No.

For ... Shares this

day of ..., 19

and 4/18/18

NOV 29 1996

MICHO FILMED

MAR 15 1995

For 80 Shares.

Issued to Henry J. Busch
7400 100 Dakota

Land covered N²NE

13-9-14

NO. ORIGINAL CERTIFICATE	NO. ORIGINAL SHARES	NO. SHARES TRANSFERRED

Received Certificate No. _____

30me S Shares this

day of _____ 19

1622562

SHARES OF STOCK EVIDENCED BY THIS CERTIFICATE
and the certificate itself are held by the Twin Falls Land
and Water Company, the party in whose name the certi-
ficate is issued, and lien of the said Land and Water Com-
pany shall exist at all times against these shares of
stock and this certificate, even though this certificate
may be in the possession of parties other than the
Land and Water Company. THIS CERTIFICATE CAN
ONLY BE SURRENDERED FOR TRANSFER UPON WRIT-
TEN CONSENT OF THE TWIN FALLS LAND AND
WATER COMPANY.

Twin Falls Canal Company

THIS IS TO CERTIFY THAT

80 Shares of the Capital Stock of the Twin Falls Canal Company

This Certificate entitles the owner thereof to receive one-eightieth of a cubic foot of water per second of time per acre for the
following described land: *N 2 N E 1/4 36 9 1/4 1/4*

in accordance with the terms of the
contract between the State of Idaho and the Twin Falls Land and Water Company.

And this Certificate also entitles the owner to a proportionate interest in the dam, canal, water rights and
all other rights and franchises of the Twin Falls Land and Water Company, based upon the number of
shares finally sold, in accordance with the said contract between the said Company and the State of Idaho.

In Witness Whereof the said Corporation has caused its corporate name and seal to be hereto annexed.

Twin Falls Canal Company

By *J. W. Saylor* President

Attest *W. O. Saylor* Secretary

COMMUNICATION DOCUMENTATION

Claim No. A47-04167

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 Jeanie Robertson Date 3/15/95Contact Person(s) Barbara HolesenskyNature of Contact office visit

Substance of Communication she brought in some evidence of Priority consisting of the original agreement with the TFCC back in 1910 before they even put the system in, an affidavit dated 1922, and a copy of the certificate dated 1941 when this parcel and its 15 shares were split off. She said they live at the end of the system and this is the wastewater that has always been used since the system was put in. She also filled out an address change form and I updated our records.

MICROFILMED
NOV 29 1996



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

GOVERNOR
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04167
FRANK J. HOLESSENSKY
RT. 4 BOX 239
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.

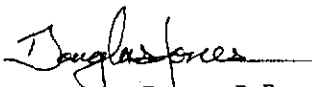
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in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



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

A47-04167

BARBARA HOLESSENSKY

RT. 4

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.

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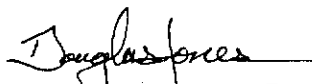
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January 10, 1995
page 2

notarized affidavit.

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Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
NOV 29 1996

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: A47-04167
Date Received: 1/09/1989
Receipt No: S005783
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK J. HOLESSENSKY 208-543-6945
Address: RT. 4 BOX 239
BUHL, ID 83316

Name: BARBARA HOLESSENSKY
Address: RT. 4
BUHL, ID 83316
2. Date of Priority: MAR 15, 1929
3. Source: UNNAMED STREAM Trib. to: SILO CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	13	NE	NE			TWIN FALLS
5. Description of diverting works:
EARTHEN CHECK DAM DELIVERING TO AN EARTHEN DITCH & A GATED PIPE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/35 RANGE.

A47-04167

Page 1

Date: 01/09/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	12	SW	SE		IRR	28.0
						Section Acres	28.0
		13	NE	NE		IRR	18.0
						Section Acres	18.0
						Total Acres	46.0

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:
15 CANAL SHARES

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

(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.

MICROFILMED
MAR 11 1993

Log for claim 47-04167

Spatial Dynamics BTD

2/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	12	SWSE	28	36	Indiscernible
09s14e	13	NENE	18	20	
Totals:			46	56	

Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001



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

500 0 500 1000 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals

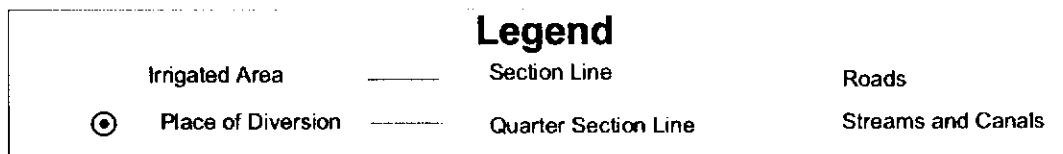


500 0 500 1000 Feet

*SPATIAL
DYNAMICS*

Water Right Claim Number 47-04167
Townships , 9S14E, 9S15E

02/21/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-04167

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/06/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK J HOLESSENSKY 4477A VALLEY STEPPE DR BUHL ID 83316 (208) 543-6945	03/15/1929	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.600 CFS 0.020 CFS	
				TOTAL DIVERSION:	1.600 CFS	
C	BARBARA HOLESSENSKY 4477A VALLEY STEPPE DR BUHL ID 83316					

Water Source: UNNAMED STREAM

Tributary to: SILO CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T09S R14E S13 NENE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	14E	12	:																	:	28.0
09S	14E	13	:	18																:	18.0
																				TOTAL ACRES	46.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: TWIN FALLS

Non-Irrigation Uses: S/35 RANGE.

Other Rights: 15 CANAL SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-14160 47-14161 A47-14160 A47-14161

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020920

Remarks: GEN ADDRESS CHANGE 3/15/95 jr

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/09/89 WHITE 03/15/95 JROBERTS 03/30/95 POST-STD

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

Telephone No. 543-6945

(Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1929

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	1.60	Use Irrigation	Period of Use From March 15	To November 15
Quantity	0.02	Use Stockwater	Period of Use From Jan. 1	To Dec. 31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

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. Earthen check dam delivering to an earthen ditch and a gated pipe.

[illegible]

46

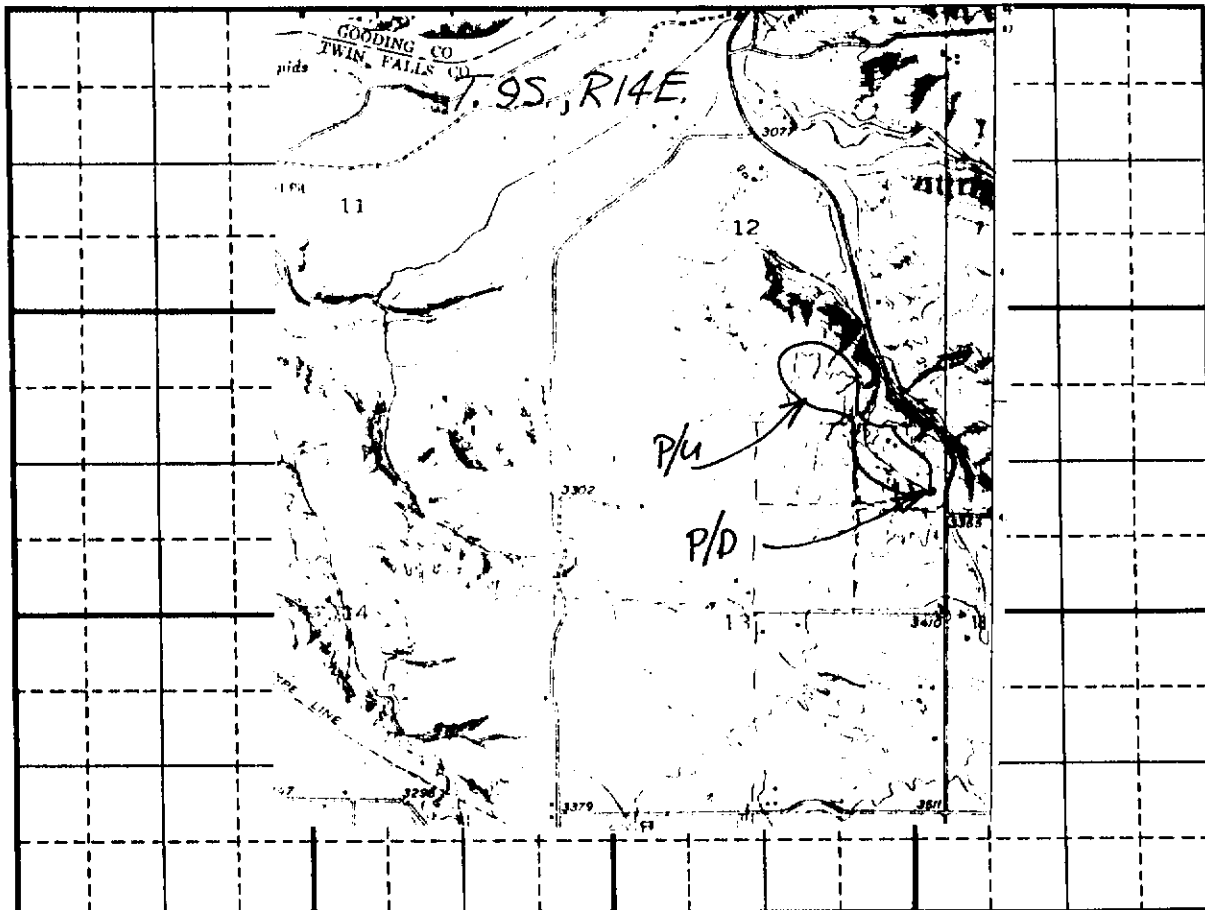
No. of acres

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: 35 head of range cattle

(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

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 7 day of July, 19 80.

Barbara J. Arlinsky
(Claimant)

Notary Public

Residing at Miss Jella, id P3301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by ADM Date 7/9/80 Exception filed by: Forwarded to Date
Prelim. check by gs Date 7/10/80 claimant by:
30.00 \$20.00 fee received by anna Date 7/7/80 1649P
Published in Idaho States
Dates 7/14 & 7/24/80