

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: A47-07019A
Date Received: 2/03/1989
Receipt No: S005830
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MUD CREEK WATER USER'S ASSOCIATION 208-734-0700
Address: C/O JOHN R. ROSHOLT
P.O. BOX 1906
TWIN FALLS, ID 83303-1906

2. Date of Priority: DEC 20, 1967

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	28	NE	NW			TWIN FALLS

5. Description of diverting works:
CONCRETE DAM AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.740		

7. Total Quantity Appropriated is:
0.740 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 111.0 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	22	SW	NW		IRR	37.0
Section Acres							37.0

A47-07019A

Page 1

Date: 02/03/89

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10. Place of Use: Continued

Total Acres 37.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A47-14735, A47-07019A & -07019B, A47-07041

14. Remarks:

TRANS. 2349.

TRANS. 2307.

100% OF NON-DELINQUENT MEMBERS OF ASSOCIATION HAVE VOTED TO FILE
WATER SHARES AS AN ASSOCIATION.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____ Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
_____ Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

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

Date Received

Receipt Number

1/10/89 ADH
5005830

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

47-07019 A

Please type or print clearly

1. Name of Claimant (s) MUD CREEK WATER USER'S ASS'N., INC. Phone (208) 734-0700
Mailing Address C/O John R. Rosholt, P.O. Box 1906, Twin Falls, ID Zip 83303-1906

2. Date of Priority (Only one (1) per claim) December 20, 1967

3. Source of water supply (a) Mud Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 9 South Range 14 East Section 28/SW corner Left bank of
NE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Twin Falls

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Original dirt with rock fill diversion dam built in 1969/1970 washed out the week of 9-22-70 and was replaced with same. Second dam washed out week of January 8, 1979 and was replaced with concrete dam of steel reinforced by bedrock drilling and rock fill. Water then flows into cement ditch for 3,000 feet to dirt ditch system.

In 1986/1987 fish ponds and a power plant were constructed in cement ditch system by Terry White, owner of property on which Association water is diverted.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-1 to 11-15 amount .74 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .74 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 111 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: SEE EXHIBIT B

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 37

11. In which county (ies) are lands listed above as place of use located? Twin Falls

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
#47-0719B, #47-07041, #47-07007A and .20 cfs in Sec. 22 and .10 cfs in _____ or None ()
Sec. 21 being applied for.

14. Remarks:
One hundred percent of non-delinquent members of Association have voted to file water shares as an association.

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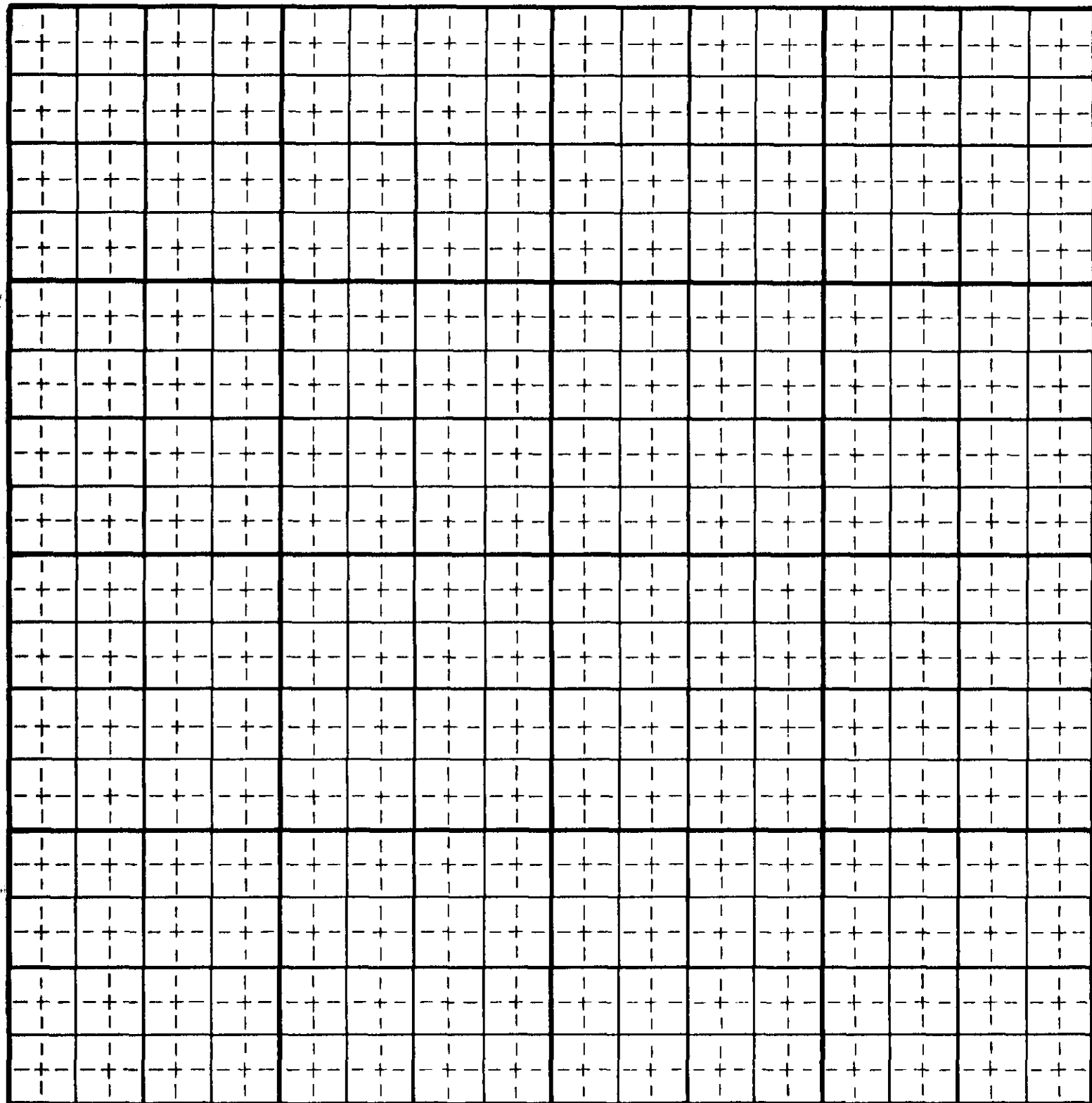
Last Name Mud Creek Water User's Ident No. _____

MAR 11 1993
Copies: White State, Yellow Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE EXHIBIT A



Last Name mud Creek Water User's Ident No. _____

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Copies: White-State, Yellow-Claimant
MAR 11 1993

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number #47-07019A See Exhibit C
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 three

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date January 9, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am President

Title

of Mud Creek Water User's Association, Inc., that I have signed the foregoing
Organization

document in the space below as President of Mud Creek Water User's Ass'n, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Donald R. Frank

Title and Organization President, Mud Creek Water User's Ass'n, Inc. Date 1-9-89

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day of January 1989

SEAL

Notary Public Michele Clark

Residing at Buhl, Idaho

My Commission Expires 3-10-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

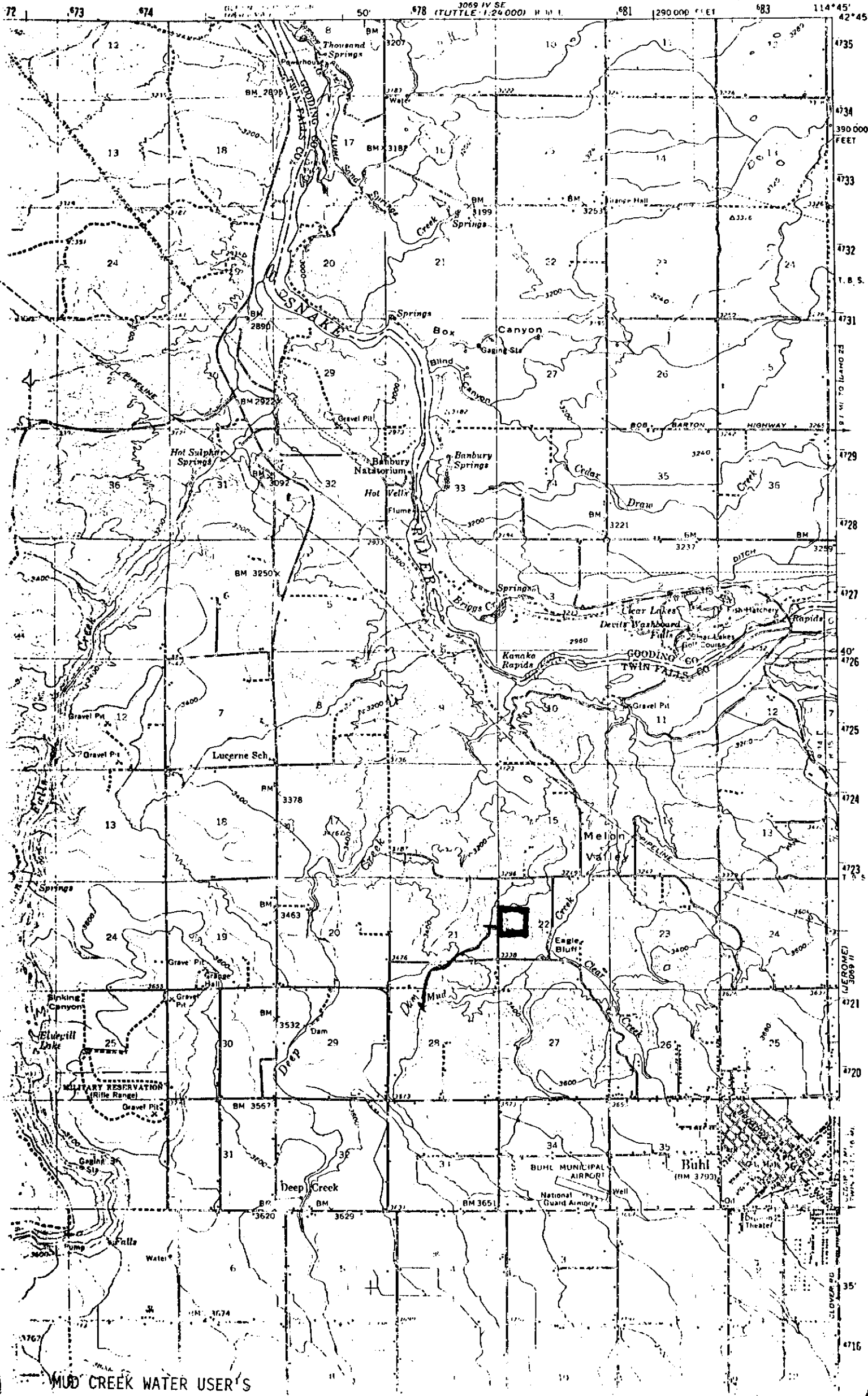
Signature _____

Address _____

Date _____

Last Name Mud Creek Water User's Ident. Number _____

Copies White-State, Yellow-Claimant



ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 37 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. 47-07019A of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

*SW 1/4 NW 1/4 Section 22, Range 14 EBM-T
South TFCO I Township 9*

The Grantors and Mud Creek agree that this conveyance shall not change the duty of Mud Creek to said Grantors for the delivery of water or the duty of Grantors to pay the assessments of Mud Creek.

The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 15th day of November, 1988.

Jeffery B. Harris
Charles E. Zane
GRANTOR

Dale A. Turner
GRANTOR

ACCEPTED:

MUD CREEK WATER USER'S ASSOCIATION, INC.

By *Donald B. Sparks*
PRESIDENT

* PERMISSION GRANTED BY LIENHOLDER
FOR MUD CREEK WATER USERS' ASSN.
TO FILE FOR WATER RIGHTS.

WASHINGTON FEDERAL SAVINGS & LOAN
ASSOCIATION

By: *Jeffery B. Harris, Asst. Vice-Pres.*
MORTGAGEE

EXHIBIT B

EXHIBIT FF

ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 37 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. 47-07019A of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

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South T400 I Township 9

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The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 15th day of November, 1988.

Judy Sullivan
GRANTOR

Dale A. Tupper
GRANTOR

ACCEPTED:

MUD CREEK WATER USER'S ASSOCIATION, INC.

By Donald H. Spaulding
PRESIDENT

* PERMISSION GRANTED BY LIENHOLDER
FOR MUD CREEK WATER USERS' ASSN.
TO FILE FOR WATER RIGHTS.

WASHINGTON FEDERAL SAVINGS & LOAN
ASSOCIATION

By: Duffrey B. Harris, Asst. Vice Pres.
MORTGAGEE

MICROFILMED
MAR 11 1993

STATE OF IDAHO

County of Twin Falls

On this 10th day of January, 1989, before me, a Notary Public, in and for said County and State, personally appeared Jeffrey B. Harris, known or identified to me to be the Assistant Vice President of WASHINGTON FEDERAL SAVINGS AND LOAN ASSOCIATION, formerly known as United First Federal Savings & Loan Association, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

B. W. Harris
NOTARY PUBLIC FOR IDAHO
Residing at: 1110770, Elmer
My commission expires: 7-6-93

Turner/Zaccare

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 15th day of November, 1988, before me, a Notary Public, in and for said County and State, personally appeared Charles E. Zaccone POA for Dale A. Turner, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 3-10-93

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 15th day of November, 1988, before me, a Notary Public, in and for said County and State, personally appeared Judy Zaccone POA for Dale A. Turner, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 3-10-93

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9th day of January, ~~1988~~ 1989, before me, a Notary Public, in and for said County and State, personally appeared Donald R. Sparks, known or identified to me to be the President of MUD CREEK WATER USER'S ASSOCIATION, INC., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho
My commission expires: 3-10-93

0487m

Mud Creek Water Users

STATE OF IDAHO

County of Twin Falls

On this 10th day of January, 1989, before me, a Notary Public, in and for said County and State, personally appeared Jeffrey B. Harris, known or identified to me to be the Assistant Vice President of WASHINGTON FEDERAL SAVINGS AND LOAN ASSOCIATION, formerly known as United First Federal Savings & Loan Association, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dwight Hagg
NOTARY PUBLIC FOR IDAHO
Residing at: Liberty, Idaho
My commission expires: 7-6-93

MICROFILMED

MAR 11 1993

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, DALE A. TURNER, a legal resident of the State of Ohio, have made, constituted, and appointed, and by these presents do make, constitute, and appoint JUDY ZACCONE and CHARLES ZACCONE, whose present address is P.O. Box 269A, Buhl, Idaho 83332, my true and lawful attorney to act as follows, giving and granting unto my said attorney full power to:

Initiate, institute, prosecute, defend, compromise, arbitrate, and dispose of legal, equitable, or administrative hearings, actions, suits, attachments, arrests, distresses or other proceedings, or otherwise engage in litigation in connection with the premises.

File suit in reference to unauthorized livestock on property lawfully held by me, and file suit for damages inreference to minimum monetary value, current market price per head, per month for pasturing said animals from their lawful owner.

FURTHER, I do authorize my aforesaid attorney, in fact, to perform all necessary acts in the execution of the aforesaid authorizations with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by my said attorney shall be binding on myself and my heirs, legal and personal representatives, and assigns.

FURTHER, To institute, maintain, defend, compromise, arbitrate, or otherwise dispose of any and all actions, suits, attachments, or other legal proceedings for or against me.

PROVIDED, however, that all business transacted hereunder for me or my account shall be transacted in my name, and that all endorsements and instruments executed by said attorney for the purpose of carrying out the foregoing powers shall contain my name, following that of my said attorney and the designation "attorney-in-fact."

FURTHER, unless sooner revoked or terminated by me, this Special Power of Attorney shall become NULL and VOID on and after 15 October 1989.

PAGE ONE OF TWO PAGES

INROFILMED

MAR 11 1993

Mud Creek Water Users

IN WITNESS WHEREOF, I have hereunto set my hand and seal this
16 day of Oct, 1987.

Dale A. Turner
DALE A. TURNER

ACKNOWLEDGEMENT

WITH THE ARMED FORCES OF THE)
UNITED STATES AT MCAS, EL TORO)ss
CALIFORNIA, IN THE COUNTY OF ORANGE)

On this 16th day of October, 1987, before me,
the undersigned officer, personally appeared DALE A. TURNER, known
to me (or satisfactorily proven) to be (a) serving in or with the
United States Armed Forces, or (b) to be the spouse of a person
serving in the United States Armed Forces, and to be the person
whose name is subscribed to the within instrument, and acknowledged
to me that he executed the same. The undersigned does further
certify that he is, at the date of this certificate, a Commissioned
Officer of the rank stated below, and is in the active service of
the Armed Forces of the United States.

Authorized to administer oaths
and act as a Notary Public under
Article 136 (a) Uniform Code of
Military Justice; Title 10 USC,
Sec. 936; (Public Law 90-632);
and California Civil Code, Sec.
1185.5

R. L. Renner
R. L. RENNER 121 36 2029
(TYPED NAME) (SSN)
Captain USMC
(RANK) (BRANCH OF SERVICE)

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MAR 11 1993

Ind Creek Water Users

EXHIBIT C

SD-49
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NAMES SCREEN

DATE: 01/03/89
TIME: 13:13:18

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

OWNER CODES: 0 ORIGINAL OWNER P PRESENT OWNER L LIEN HOLDER
 C CURRENT OWNER R REPRESENTATIVE A ATTORNEY OF RECORD

LAST: KINYON
ADDRESS:

FIRST: GUY

STATE: ID ZIP:
OWNER CODE: 0

CITY:
PHONE: (208) -

LAST: FRIESEN
ADDRESS: RT. 1

FIRST: JOHN N.

STATE: ID ZIP: 83316
OWNER CODE: C

CITY: DUHL
PHONE: (208) -

(ENTER=CONTINUE)

(GOLD7=SELECT ALL) (GOLD8=CANCEL)

ON LINE V2.4

CAP NUM

L1

SD-14
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SCREEN 2

DATE: 01/03/89
TIME: 13:14:11

WATER RIGHT NUMBER: 47-07019A

2. PRIORITY DATE: 12/20/1967

3. SOURCE:

TRIP:

4. POINT OF DIVERSION::

SOD COUNTY COUNTY
TWP RANGE SECT 1/4 1/4 1/4 LOT FLAG CODE NAME

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER USES:

USE CODE	DESCRIPTION	FROM	TO	CFS (AND/OR) AFA
		/	/	

7. TOTAL DIVERSION RATE:

0.740 8. TOTAL DIVERSION VOLUME:

9. DIVERSION CAPACITY:

(ENTER=EXIT)

(GOLD8=CANCEL)

ON LINE V2.4

CAP NUM

L1

MICROFILMED

MAR 11 1993

MUD CREEK WATER USER'S

SD-61
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SOURCE/TRIBUTARY SCREEN

DATE: 01/03/89
TIME: 13:14:25

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

SOURCE: MUD CREEK

TRIB: SNAKE RIVER

(ENTER-EXIT)
ON LINE V2.4

(GOLD4=PREV SCREEN)
(GOLD5=NEXT SCREEN)
CAP NUM

(GOLD6=END OF DATA)

(GOLD8=CANCEL)
LI

SD-50
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POINTS OF DIVERSION SCREEN

DATE: 01/03/89
TIME: 13:14:37

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

4. POINT OF DIVERSION::

TWP	RNG	SECT	1/4	1/4	1/4	LOT	FLAG	COUNTY	COUNTY
								CODE	NAME
09S	14E	28		NE	NW			93	THIN FALLS

(ENTER-EXIT)
ON LINE V2.4

(GOLD4=PREV SCREEN)
(GOLD5=NEXT SCREEN)
CAP NUM

(GOLD6=END OF DATA)

(GOLD8=CANCEL)
LI

Mud Creek Water User's

MICROFILMED

MAR 11 1993

SD-51
INQUIRY

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS WATER USAGE SCREEN

DATE: 01/03/89
TIME: 13:14:47

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

WATER USES:

USE CODE	DESCRIPTION	FROM	TO	CFS	AGA
01	IRR	3/ 1	11/15	0.740	
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		

(GOLD4=PREV SCREEN)

(GOLD4=END OF DATA)

(ENTER=EXIT)
ON LINE V2.4

(GOLD5=NEXT SCREEN)
CAP NUM

(GOLD6=CANCEL)
L1

SD-52
INQUIRY

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PLACES OF USE SCREEN

DATE: 01/03/89
TIME: 13:15:13

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	LOT	ACRES	USE	USE DESC.	COUNTY	COUNTY NAME
09S	14E	22	SW	NW		37.0	01	IRR	83	TWIN FALLS

(GOLD4=PREV SCREEN)

(GOLD4=END OF DATA)

(ENTER=EXIT)
ON LINE V2.4

CAP NUM

L1

Mud Creek Water User's

MICROFILMED
MAR 11 1993

SD-62
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS REMARKS SCREEN

DATE: 01/03/89
TIME: 13:15:23

WATER RIGHT NUMBER: 47-07019A

FIRST PAGE

13. REMARKS: TRANS. 2349.
TRANS. 2307.

(GOLD4=PREV SCREEN)

(GOLD6=END OF DATA)

(GOLD5=NEXT SCREEN)

(GOLD8=CANCEL)

(ENTER=EXIT)
ON LINE V2.4

CAP NUM

L1

SD-60
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SCREEN 4

DATE: 01/03/89
TIME: 13:15:48

WATER RIGHT NUMBER: 47-07019A

STAGE/STATUS : L/
REGION : 17
TRANSFER/AMENDED: T
SWAN FALLS SPEC :

TEMPORARY RIGHT: P
WATER DISTRICT :
FIELD EXAM :
DLE CAREY ACT :

DATES:

APPL. REC.: / /
FIELD EXAM: / /
PROTESTED : / /
VERIFIED : 4/ 8/1985

PROOF MADE: / /
DECREE : / /
HEARING : / /
SHOW CAUSE: / /

PROOF DUE : / /
LICENSED : 2/26/1985
APPR/DENY : / /
START WORK: / /

RECEIPT NO.:
OLD NUMBER :

DIVERSION CAPACITY:
CIVIL CASE NO. :

DEFENDANT:
PLAINTIFF:

(ENTER=EXIT)
ON LINE V2.4

CAP NUM

(GOLD8=CANCEL)

L1

MICROFILMED

MAR 11 1993

INTER-DEPARTMENT MEMO — 1

FROM

Allen Merritt

TO

Don Shaff

SUBJECT

Refund of money to Mud Creek W. U. A.

As per our phone conv. this day here is the copy of the 2/3/88 memo plus the letter we received yesterday wanting to know when a refund will be issued. Please look into this.

Thanks

MICROFILMED

MAR 11 1993

Allen

SIGNATURE

DATE: FEB. 3, 1989

TO: ALLEN MERRITT

FROM: STEVE CLELLAND

RE: MUD CREEK REFUNDS

THE FOLLOWING INDIVIDUALS HAVE FILED ADJ. CLAIMS AND HAVE ALSO ASSIGNED THEIR WATER RIGHTS OVER TO MUD CREEK WATER USER'S ASSOC. RECORDS SHOW BOTH PARTIES PAID THE \$1/ACRE FEES FOR THE SAME ACRES.

HARVEY HASLIP	A47-07041	C003476	\$81
CHESTER BESS	A47-07019D	S002656	53
ALEXANDER M. BLUM	A47-07019E	S002827	55
GLENN NELSON	A47-07019F	S004418	60
GLENN W. ZACK	A47-07007A	S000634	77

THE AMOUNTS GIVEN ARE THE PORTIONS PAID FOR THAT CLAIM NOT THE ENTIRE RECEIPT.

1) CLAIM A47-07041 WAS AMENDED TO SHOW MUD CREEK AS CLAIMANT AND THE RECEIPT NUMBER AS MUD CREEK'S. I BELIEVE HASLIP SHOULD RECEIVE AN \$81.00 REFUND FOR HIS FILING.

2) THE THREE CLAIMS BASED ON WR #47-07019 ARE PROBABLY FROM THE PORTION SPLIT "B", FILED BY MUD CREEK. SINCE THE CLAIMS STILL EXIST AS FILED BY THESE CLAIMANTS IF A REFUND IS ISSUED THE CLAIMS WOULD NEED TO BE WITHDRAWN OR CANCELLED. ANOTHER POSSIBLE SOLUTION IS TO REFUND THE ACRE FEES ONLY SINCE THEY ARE DUPLICATED WITH THE MUD CREEK FILINGS, THEN KEEP THE \$50.00 FILING FEES AND CLAIMS ON FILE.

3) CLAIM A47-07007A WAS THE ONLY SPLIT PORTION OF THE WATER RIGHT FILED. HE HAS SINCE ASSIGNED IT TO MUD CREEK AND IS IN A SIMILAR SITUATION AS THE ABOVE CLAIMS.

CECILIA AND ALICE KIMBALL FILED A47-07019G BUT DO NOT WISH TO BE PART OF MUD CREEK FILING.

THESE ARE THE CLAIMS AND FEES FILED BY MUD CREEK:

A47-07019A	S005830	\$87
A47-07019B	"	227
A47-07007	"	106
A47-07041	"	81
A47-14735	"	110
		<u>611</u>

MICROFILMED
MAR 11 1993

February 20, 1990

RECEIVED

FEB 21 1990

State of Idaho
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Dear Water Resources:

When the adjudication process for water filings began in Twin Falls County our shares were individually owned, rather than collectively as an association.

As a result, seven of our members filed adjudication filings as individuals before our association completed arrangements to transfer shares to association ownership and filed as a group.

When our association filings were made we were advised that refund would be made for the seven individual filings already paid. You had not determined if all charges would be refunded (\$50 per filing plus \$1 per acre irrigated) or only the \$1 per irrigated acre. To date we have heard nothing further about our refunds, so following is a list of those individuals for whom both individual and association filings were made:

Opal and Chester Bess
Route 3, 1160 East 4325 North
Buhl, Idaho 83316

Alexander M. Blum
P. O. Box 161
Buhl, Idaho 83316

Harvey and Doris Haslip
Route 3
Buhl, Idaho 83316

Burton and Edna Harmon
Route 3, 1167 East 4400 North
Buhl, Idaho 83316

Floyd Hernandez
P. O. Box 146
Buhl, Idaho 83316

MICROFILMED
MAR 11 1993

J. T. and Harriet Loughridge
Route 3, 1150 East 4325 North
Buhl, Idaho 83316

Glenn S. and Devonna Nelson
Route 3, 1174-A East 4325 North
Buhl, Idaho 83316

We have signed statements from all seven property owners assigning their refunds to Mud Creek Water User's Association, Inc., as we have reimbursed them all for the charges on the individual filings.

We will appreciate determining the status of these duplicate payments. Thank you for your help.

Sincerely,

MUD CREEK WATER USERS ASSOCIATION, INC.

Lila Stauffer
Lila Stauffer, Bookkeeper
P. O. Box 281
Buhl, Idaho 83316
324-8308

Mud Creek Water User Assoc.	5005830	8611
Acct.		
A47-070198	177	227
A47-14735	60	110
07007	56	106
07019A	37	87
07041	31	81

MICROFILMED
MAR 11 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2/22/90

TRANSMITTAL COVER SHEET

OMNIFAX G66

Phone No.: (208) 733-8093

TO: Don Shaff FROM: Allen Merritt

DOCUMENT DESCRIPTION: Memo, Memo, Letter
RE: Refund for Mud Creek Water Users Assoc.

TOTAL PAGES SENT: 4

CONTACT: Allen Merritt
(NAME OF SENDER)

Please consider this document as a billing statement. The charge for your FAX copies is \$_____. Please remit to the above address.

(Charge based on \$.25 per page, \$1.00 minimum)

MICROFILMED

MAR 11 1993

Log for claim 47-07019A

Spatial Dynamics LTD

2/26/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	22	SWNW	37	39	
Totals:			37	39	

 SPATIAL
DYNAMICS

02/26/2001



Section Line

Quarter Section Line

Roads

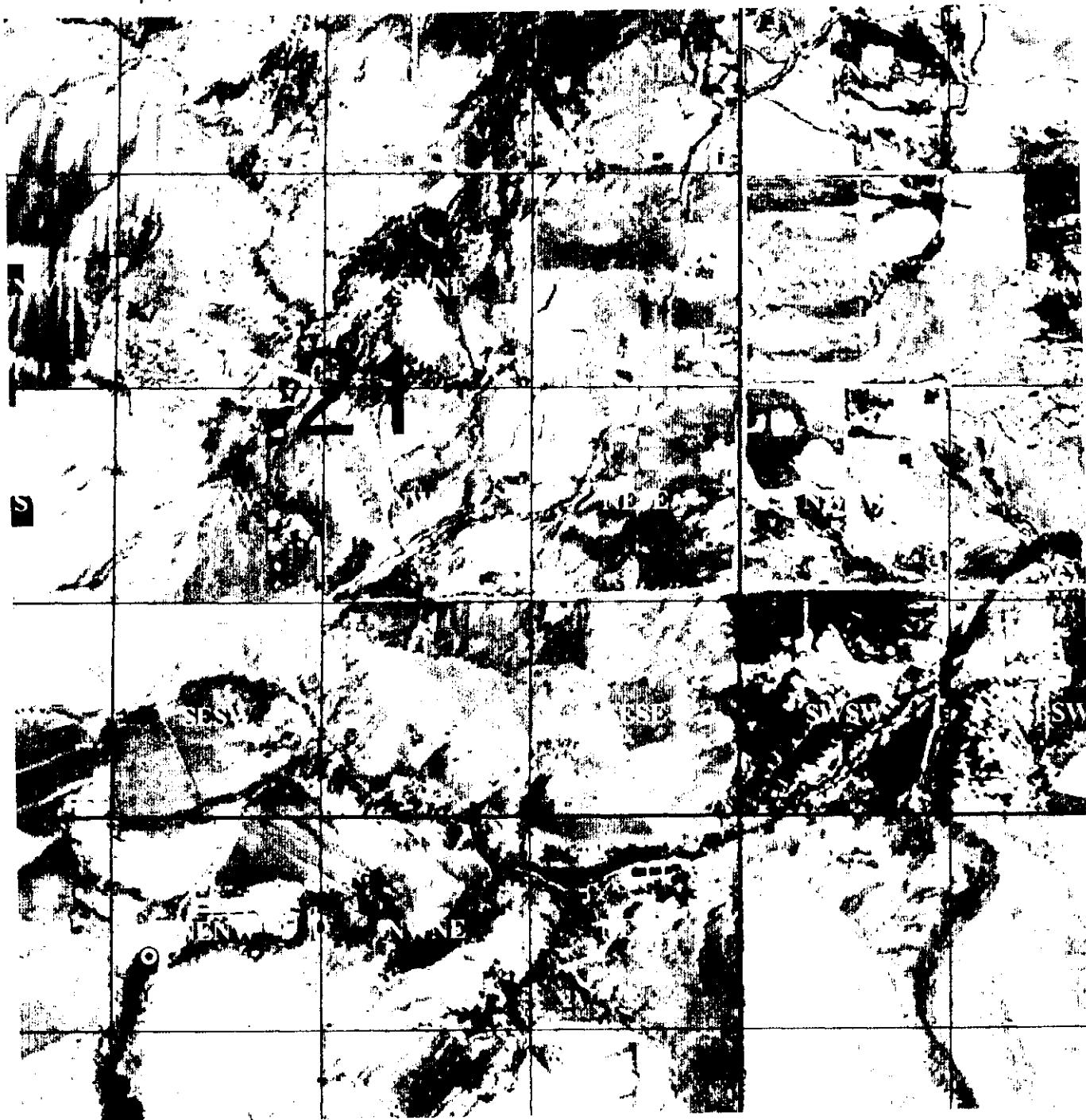
Streams and Canals



SPATIAL DYNAMICS

Water Right Claim Number 47-07019A
 Township , 9S14E

02/26/2001



Legend

- | | | |
|----------------------|-------|----------------------|
| Irrigated Area | _____ | Section Line |
| ⊙ Place of Diversion | _____ | Quarter Section Line |

- Roads
 Streams and Canals

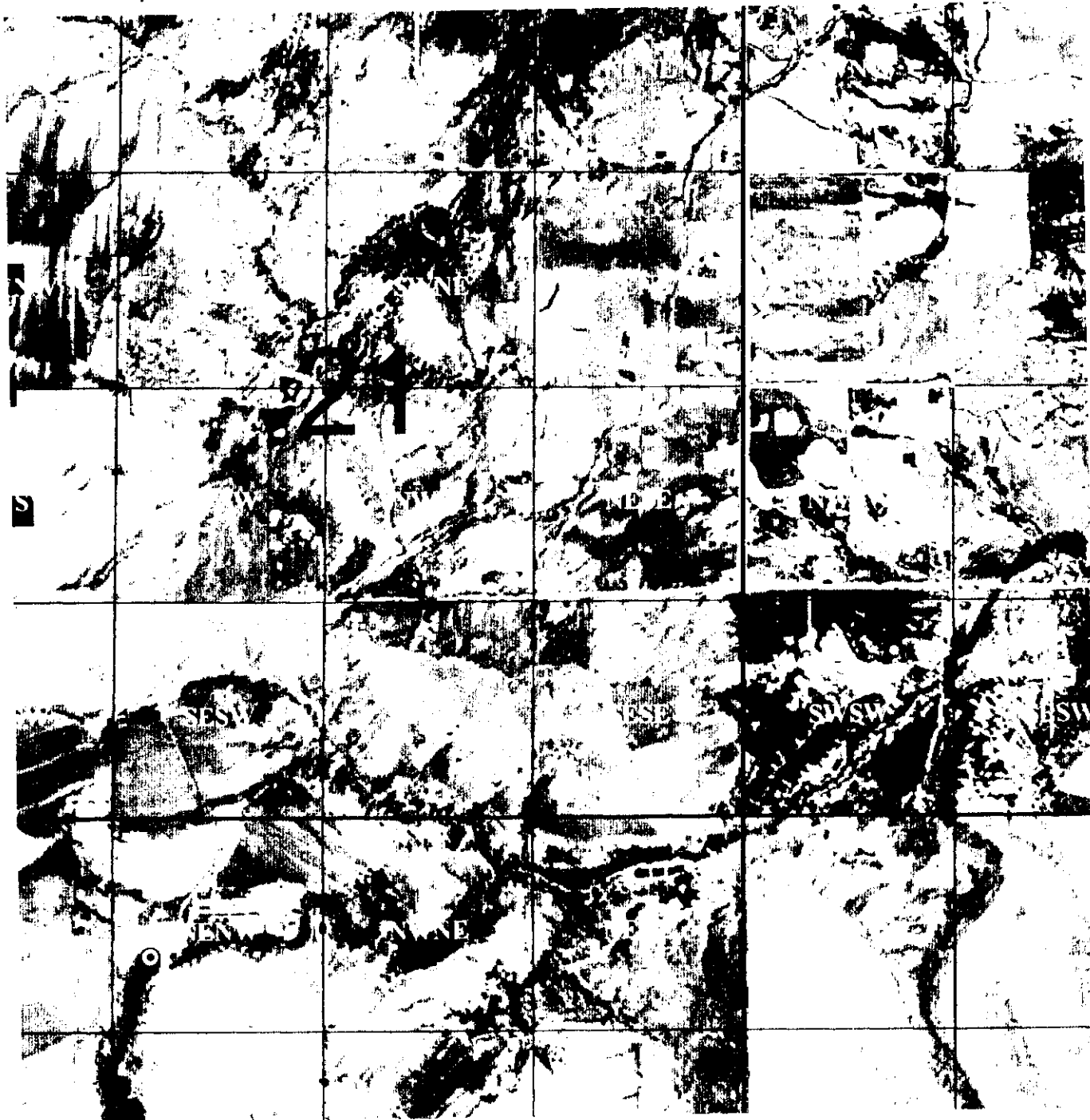


700 0 700 1400 Feet

SPATIAL
 DYNAMICS

Water Right Claim Number 47-07019A
Township , 9S14E

02/26/2001



Legend

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



700 0 700 1400 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-07019A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 158

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MUD CREEK WATER USER'S ASSOCIATION C/O JOHN R ROSHOLT PO BOX 1906 TWIN FALLS ID 833031906 (208) 734-0700	12/20/1967	IRRIGATION	03-01 11-15	0.740 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.740 CFS	111.00 AFA

Water Source: MUD CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T09S R14E S28 NENW

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	22	:																	:	37.0
																				TOTAL ACRES	37.0

POU County: TWIN FALLS

Other Rights: A47-14735, A47-07019A & -07019B, A47-07041

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-14225 A47-07007 A47-07007A A47-07019B A47-07019C A47-07019D A47-07019E A47-07019F A47-07019G A47-07019H
A47-07041 A47-07418 A47-14735 R47-07007A R47-07019D

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2349.

TRANS. 2307.

100% OF NON-DELINQUENT MEMBERS OF ASSOCIATION HAVE VOTED TO FILE
WATER SHARES AS AN ASSOCIATION.

Dates: Exam Made Date: Verified Date: 04/08/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/03/89 CLELLAND 03/30/95 POST-STD

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Nipper, Dewey & Young, Clarence L.	4.38		47-7019
2307	Nipper, Dewey	0.74		47-7019 A
	Nipper, Dewey & Young, Clarence L.	3.64		47-7019 B
2349	Friesen, John N. & Lena L.	0.74		47-7019 C

T
 R
 A
 N
 S
 F
 E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant John N. and/or Lena L. Friesen Phone 543-6322

Post office address Route 1, Buhl, Idaho 83316

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 47-7019 Transf # 2307 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Applicant has purchase agreement from original right holder

3. Source of water Mud Creek tributary to Snake River

4. Date of priority Dec. 20, 1967

5. Water is used for the following purposes:

amount 4.38 for irrigation purposes from Mar 1 to Nov 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.38 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE SW 1/4 of NE SW 1/4 of Section 28
Township 9S Range 14E, B.M., in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	21	34	6	26	22					18				36	40			182
		22							37										37

Total number of acres to be irrigated

9. Describe any other water rights used for the same purposes as described above

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.74 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22 Township 9S
Range 14E, B.M., Twin Falls County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	14E	22							37										37

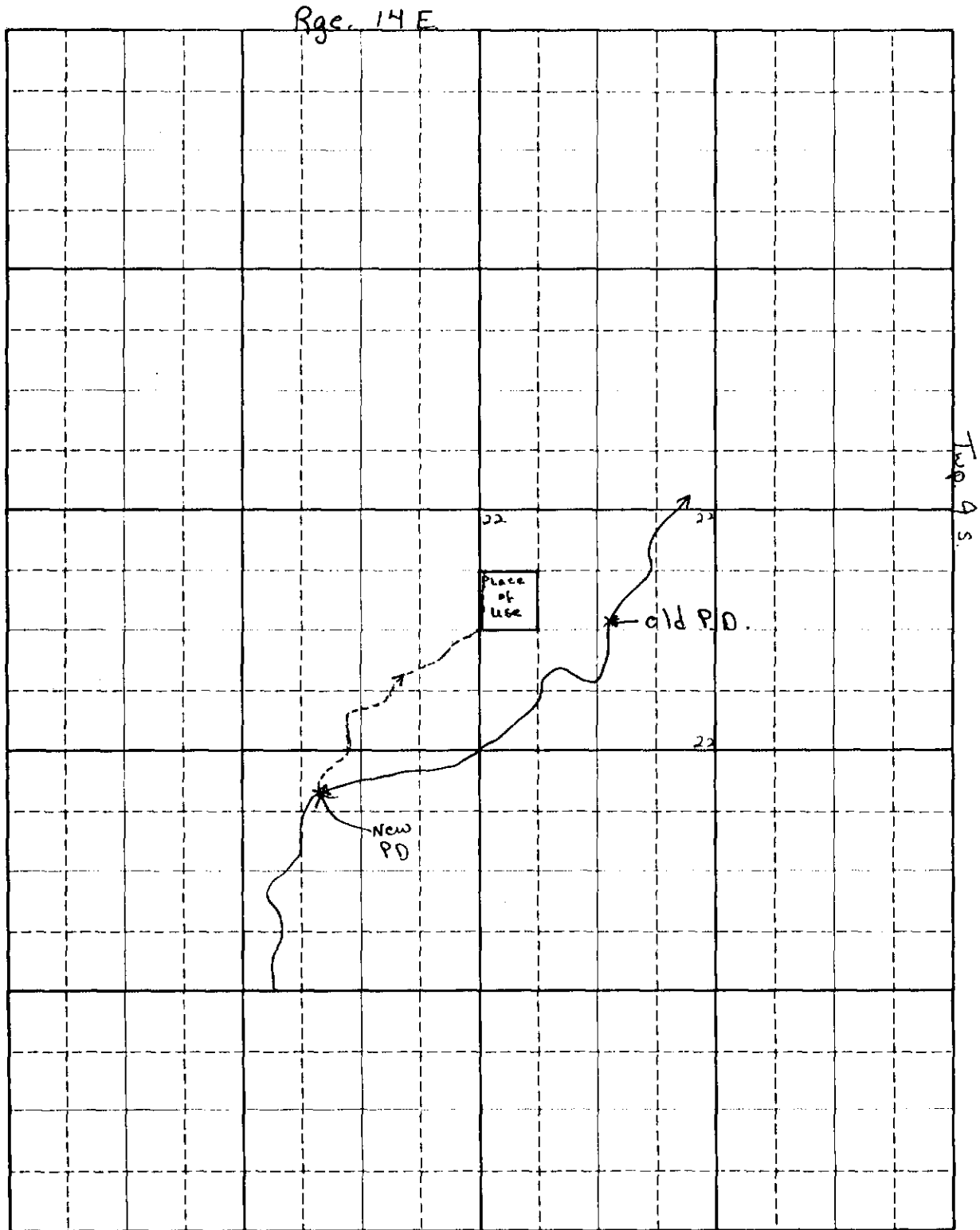
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 0.74 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28 Township 9S
Range 14E, B.M., Twin Falls County
Additional points _____
 - c. Description of diverting works Dam and ditch to place of use
 - d. Describe the reasons for applying for a change in the point(s) of diversion The new owners wish to take their water from the dam that was rebuilt to replace the one washed out in January, 1979. Their sales contract provides for payment of a portion of the reconstruction cost
2. Change in place of use NO CHANGE
 - a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John M. Friesen
(Signature of applicant)

Subscribed and sworn to before me this 18 day of September, 19 79.

Mary A. Hill
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-7019 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 60TH day of December, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by <u>TGB</u>	Date <u>9/18/79</u>	Protest filed by _____
Prelim. check by <u>JA</u>	Fee <u>35.00</u>	_____
Received by <u>TGB</u>	Date <u>9/18/79</u> # <u>13335</u>	_____
Published in <u>times news</u>	Copies of protest forwarded by _____	
Pub. dates <u>10/4 + 10/11/79</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd.	by <u>Jim</u>	

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Clarence L. Young & Dewey Nipper
Post office address Route # 3, Buhl, Idaho Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ Mud Creek
(name spring, stream, etc.)
Tributary to Snake River

3. Water will be used for the following purposes:

Amount 6.0 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 1 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. **Total amount to be appropriated:**

Max Rate of Diversion 6.0 cubic feet per second and annual volume AF/Annum.

5. **Location of Point(s) of Diversion:**

Township 9S N/S, Range 14E E/W, B.M., Section 28, Subdivision NE 1/4 NW 1/4, Twin Falls

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

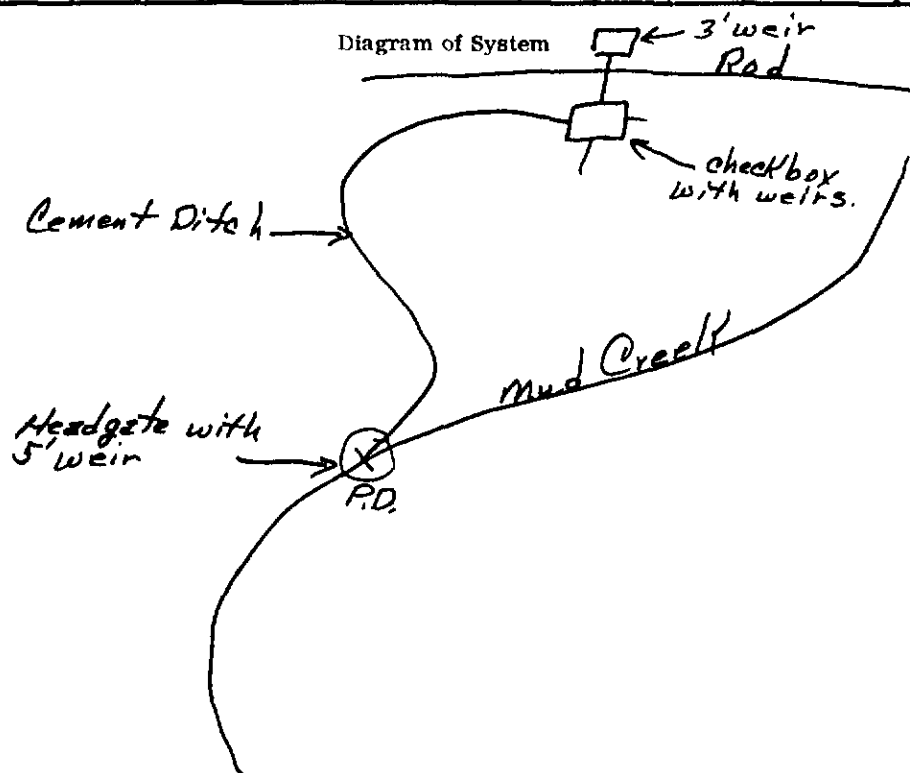
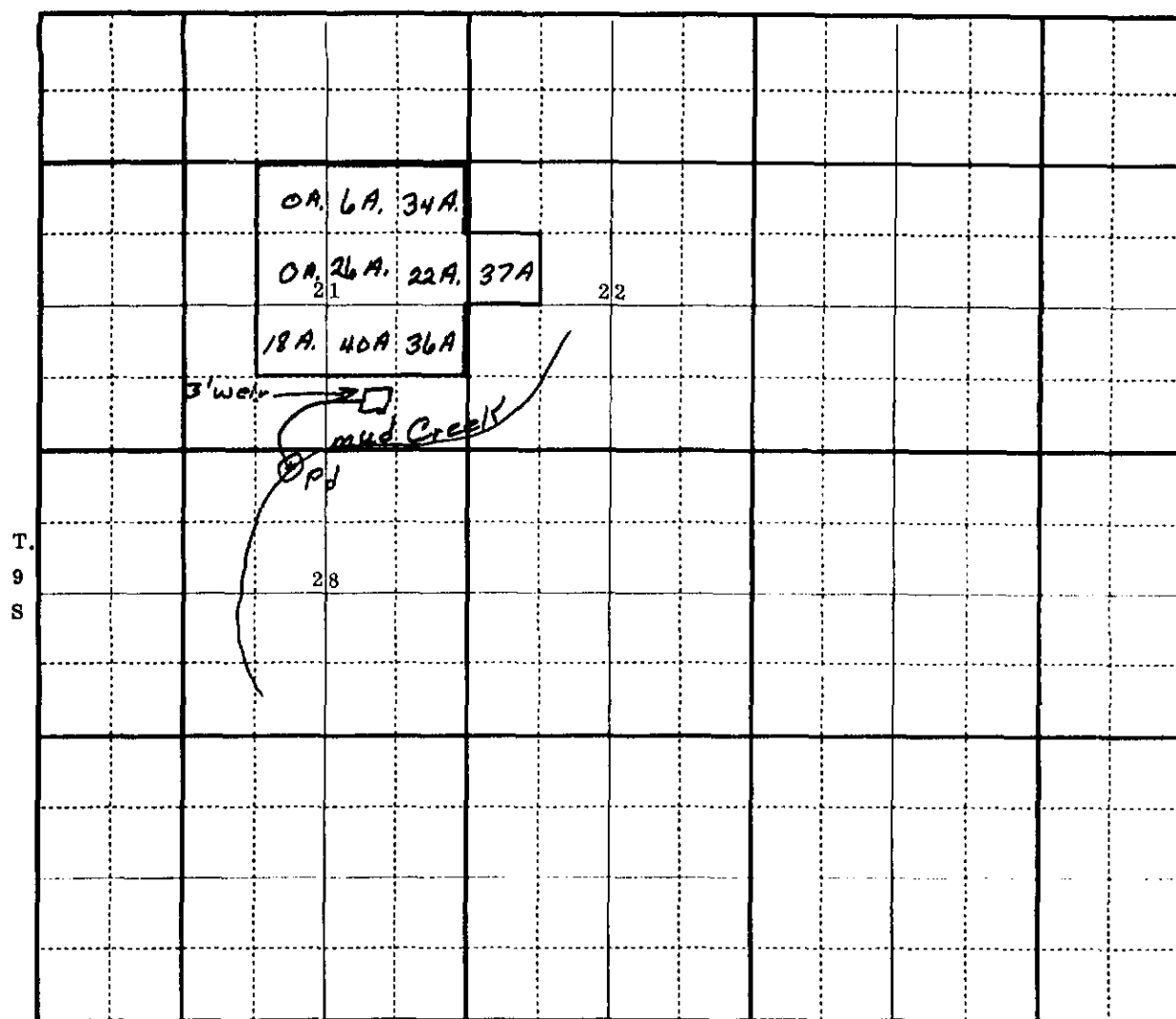
Other Points of Diversions:

Description of diverting works: diversion dam through cement ditch to dirt ditches

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]



DATE OF EXAM October 12, 1972

ACREAGE
Found 380
Recommended 219

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 6.69 c.f.s. V = 876 AF/Ann. from March 15 to Nov. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 6.69 cfs Method of measurement 3' Cipolletti weir & staff

Total Q recommended 4.38 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 876 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

MEASUREMENT CALCULATION:

$Q = 3 \text{ weir, } 0.76 \text{ H} = (6.69 \text{ cfs}) \text{ measured } V = (4.38)(1.98) = 8.67 \text{ AF/Ann.}$

$Q = 219 \text{ A} \times .02 \text{ cfs} = (4.38 \text{ cfs}) \text{ Recommended } V = (8.67)(245) = 2124 \text{ AF/Ann}$

$V = (219)(4.0 \text{ AF/Ac}) = (876 \text{ AF/Ann})$

SYSTEM DESCRIPTION:

Rock dam with check board in cement spillway diverts Mud Creek over a 5' weir through a headgate. This passes along a cement ditch, about 1/2 mile to a check box, under the road to an additional check box then over a 3' weir to place of use.

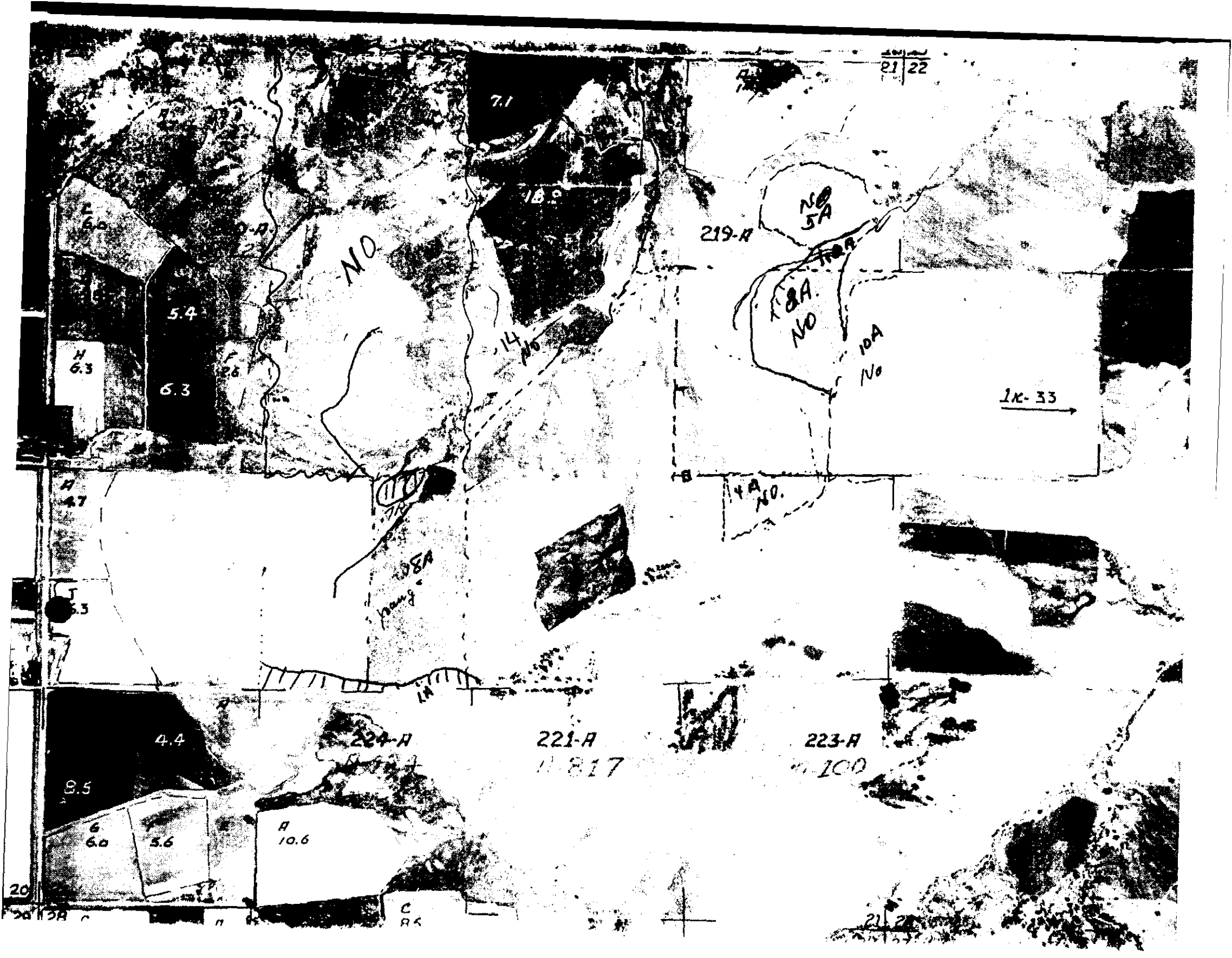
REMARKS:

This cement ditch is owned by multiple users. Additional amounts of water may be run through this ditch by placing additional check boards in Mud Creek.

Examiner's Signature Ken Flowerdew Date 10/18/72

Checked by Bob Haynes Date 1-8-73

Approved by _____ Date _____



22

22 23

207-A
7-141

206
H-13

213-A

212-A

211-A

A-119

A-101

37A

9A
7-10

F 2.6

E 5.3

B 1.9

A 1.0

C 4.5

N 1.0

I 8.2

C 4.2

J 6.2

214-A

D 4.0

H 7.0

210-A

A 4.0

F 1.9

F 4.2

A 2.7
C 1.5

2.3

12.2

465-A

A 4.2

215-A

A-812

B 2.2

C 2.4

218-A

217-A

216-A

A-132

B 3.1

F 7.9

C 3.6

D 4.1

E 5.3

F 2.4

1 82

B 27

22 23

27 26

Identification No. 47-7019

Application No. 42198

ASSIGNED TO:

Clarence L. Young & Dewey Nipper
Route # 3
Buhl, Idaho 83316

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

LICENSE ISSUED FOR 432 To appropriate the Public Waters of the State of Idaho
LICENSE PAGE NO. 1

1. Name of applicant GUY KINYON
post office address Castleford, Idaho 83321
2. Source of water supply Mud Creek which is a tributary of Snake River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 9 S
Range 14 E B.M. Twin Falls County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. 6.0 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
irrigation purpose from March 1 to November 15 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. diversion dam, gravity ditches, pipeline, sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 12,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S	14 E	21	40	40	40	40	40			40	20				40	40			340
		22							40										40

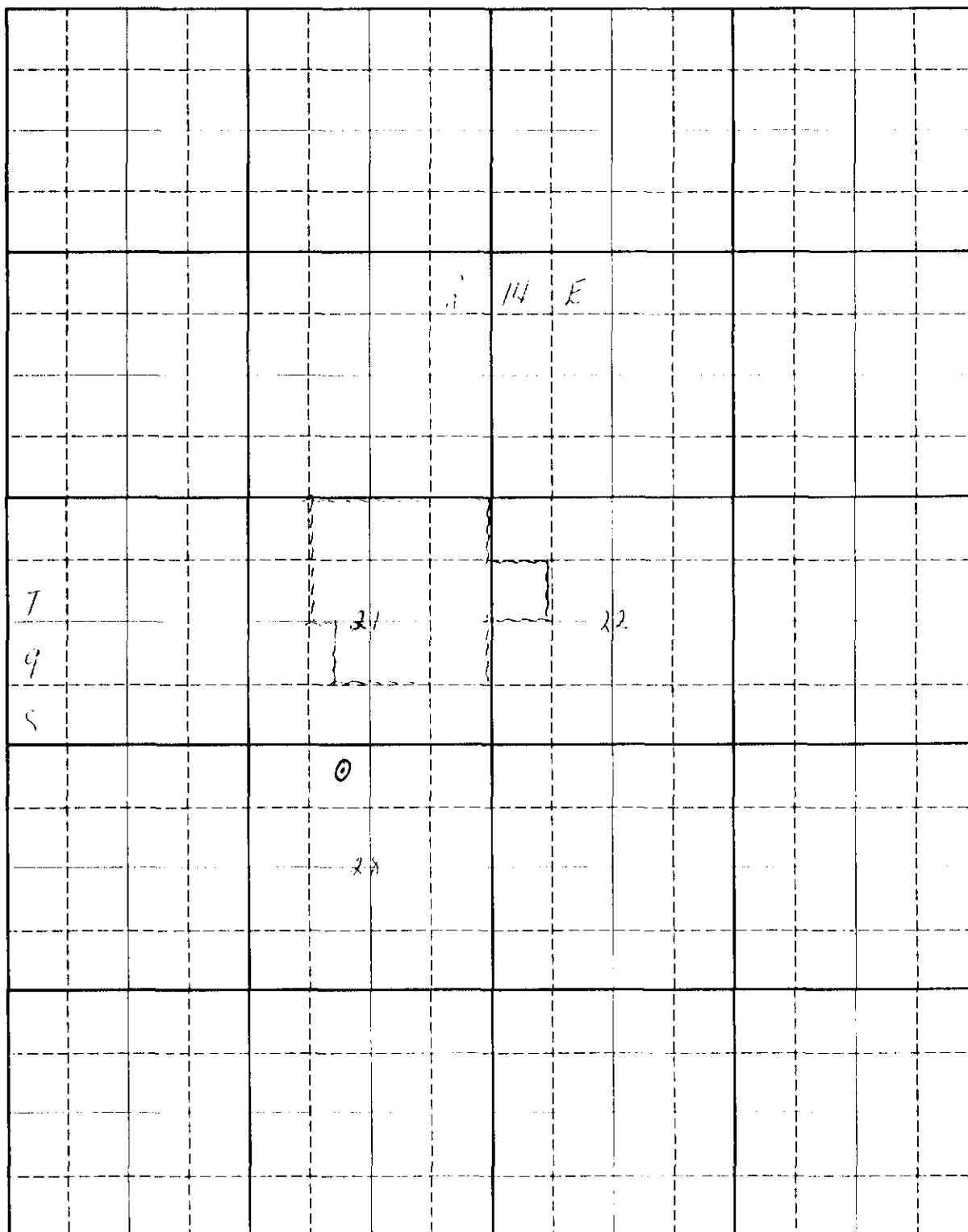
Total number of acres to be irrigated 380

c. Describe any other water rights used for the same purposes 38 shares of Twin Falls Canal Co.

9. a. Who owns the property at the point of diversion Mr. James
 b. Who owns the land to be irrigated or place of use self
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing personal contract for easement

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

47 7019

Received by KD Date 12-20-67 Time 7:00 am

Preliminary check by _____ Fee \$ 45.00

Receipted by KD Date 12-20-67 lett #271 given

Publication prepared by KD Date 1-5-68

Published in Idaho Tribune

Publication dates 1-11-18-68

Publication approved KD Date 1-10-68

Priority reduced to _____ Reason _____

Protests filed by: 1/18/68

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by CSA

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7019, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of February, 19 68.

R. Keith Higgins
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 47-7019 Priority Dec. 20, 1967 Amount 4.38 cfs

THIS IS TO CERTIFY, that CLARENCE L. YOUNG & DEWEY NIPPER
of Buhl, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 47-7019 issued pursuant to Application for Permit dated December 20, 1967
and has submitted proof to the Department of Water Administration on October 31, 1972
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 6.69 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Mud Creek
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 4.38 cfs for Irrigation from March 1 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.38 cfs of water be diverted at
any one time, said waters to be diverted within the _____
NE 1/4 NW 1/4 Sec. 28, Twp. 9 S, Rge. 14 E, B. M.
in the county of Twin Falls; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 876 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S	14 E	21	34	6	26	22					18				36	40			182
		22							37										37

Total number of acres irrigated 219

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of

July, 19 73.


Director

47 7019