

SCANNED

FEB 14 2002

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 47-04082
Date Received: 12/19/88
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

TONI A PEARCE Phone:
1235 A EAST 4325 NORTH
BUHL ID USA 83316

MELVIN J PEARCE Phone:
1235 A EAST 4325 NORTH
BUHL ID USA 83316

2. Date of Priority: 04/01/1920

3. Source: WILSON CREEK Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
09S	14E	27	SW NW	TWIN FALLS

5. Description of diverting works:

DITCH, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.16	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.18 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	22	SE	SW	IRRIGATION	8
Section Acres						8
Total Acres						8

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:

14. Remarks:

11-17-00, FM: OWNER CHANGE PER REQUEST DATED 10-19-00.

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 _____ 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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

November 17, 2000

Melvin J. and Toni A. Pearce
1235 A East 4325 North
Buhl, ID 83316

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A47-04082

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copy of the computer record of the claim, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Incidentally, research of data indicates there may be a water right already decreed and enclosed is a printout giving details. If this right is part of the property you purchased from Mr. Bedwell, then you need to file an ownership change, and please note that a plat map must also be submitted, along with copy of deed. Also, because this right has been decreed, there is a \$25.00 ownership fee charge required, facilitating review of department records.

Sincerely,

Florence Munzenrieder
SRBA Records Clerk

Enclosure

WR5809NP
No. 47-12367

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/20/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY L BEDWELL RT 3 BOX 292 BUHL ID 83316 (208) 543-8348	12/01/1978	DOMESTIC	01/01 12/31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09S R14E S22 NWSESW TWIN FALLS County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
09S	14E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: TWIN FALLS

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP 09S14E22610

Dates:	App. Received:	Priority Date:	12/01/1978
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc:	Water District Number:	Field Exam Fee:
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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 19 2000

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A47-04082
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Ray L. Bedwell

4. New Owner/Claimant(s) Melvin J. Pearce and Toni A. Pearce

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 1235 A East 4325 North

City, State and ZIP Code Buhl, Idaho 83316

New Telephone Number () -

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Melvin J. Pearce Date 10-10-2000
Toni A. Pearce Date 10-10-2000
MELVIN J. PEARCE
TONI A. PEARCE

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

AJ5809NP
No. A47-040B2IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 09/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY L BEDWELL RT 3 BOX 292 BUHL ID 83316 (208) 543-8348	04/01/1920	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.160 CFS 0.020 CFS	
TOTAL DIVERSION:					0.180 CFS	

Water Source: WILSON CREEK

Tributary to: MUD CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: 109S R14E S27

SWNW

TWIN FALLS County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NUNE	SWNE	SENE	NENW	MUNW	SWNW	SENW	NESW	MWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
09S 14E 22 :															8.0	
															TOTAL ACRES 8.0	

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

POU County: TWIN FALLS

Non-Irrigation Uses: S/I HORSE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

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

WARRANTY DEED

For Value Received Wayne L. Hill and Joan Hill, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto Ray L. Bedwell and Patricia M. Bedwell, husband and wife

whose address is: Rt. 3, Box 207A, Buhl, Idaho 83316

Hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho to-wit:

Township 9 South, Range 14 E., B.M. Twin Falls County, Idaho
Section 22:

That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, lying Southeast of Mud Creek

Subject to:

All existing road and ditch easements.
TOGETHER WITH ALL existing water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated:

Wayne L. Hill
Joan Hill

STATE OF IDAHO, COUNTY OF

On this 19th day of March, 1979, before me, a Notary Public in and for said State, personally appeared:

Wayne L. Hill and Joan Hill

known to me the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Twin Falls, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF TWIN FALLS, IDAHO

I hereby certify that this instrument was filed for record at the request of Farmers Natl Bank at 10 minutes past 11 o'clock A.M. this FEB 17 1989 day of Feb., in my office and duly recorded in Book of Deeds at page

RICHARD A. PENCE

Deputy Recorder

By

Fees \$

Mailed to: Ray and Patricia Bedwell
Rt. 3, Box 207A
Buhl, Idaho 83316

951493

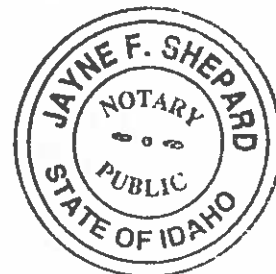


EXHIBIT A
T000810

RP09S14E226610

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County,
Idaho

Section 22: That portion of the Northwest Quarter of the Southeast
Quarter of the Southwest Quarter, lying Southeast of
the center of Mud Creek.

Order No. T000810

WARRANTY DEED

2000
JST

For Value Received

Patricia M. Bedwell, an unmarried woman

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

Melvin J. Pearce And Toni A. Pearce,
Husband And Wife.

the grantee(s), whose current address is

1235 A EAST 4325 NORTH, BUHL, ID 83316

the following described premises, to-wit:

See Attached Exhibit "A"

Twin Falls County, Idaho
Recorded for:
TWIN FALLS TITLE
04:46pm Oct. 10, 2000
2000-015775
No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: SL

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 6, 2000

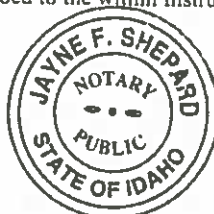
Patricia M. Bedwell
PATRICIA M. BEDWELL

STATE OF IDAHO
: ss
COUNTY OF TWIN FALLS

On This 10th day of OCTOBER, in the year 2000, before me, a Notary Public in and for said State, personally appeared Patricia M. Bedwell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Jayne F. Shepard
Notary Public of Idaho
Residing at TWIN FALLS, Idaho
Commission Expires: 08/21/05



TITLE & ESCROW
COMPANIES

EXHIBIT A
T000810

RP09S14E226610

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County,
Idaho

Section 22: That portion of the Northwest Quarter of the Southeast
Quarter of the Southwest Quarter, lying Southeast of
the center of Mud Creek.



TWIN FALLS
TITLE & ESCROW
COMPANY

RECEIVED

OCT 19 2000

Department of Water Resources
Southern Region

10/18/00

VIA REGULAR MAIL

Idaho Dept. Water Resources
Southern Region
1341 Fillmore St. Ste. 200
Twin Falls, ID. 83301

Re: Order No. T000810
Bedwell/Pearce
22-9-14 NW SE SW

Dear Sir/Madam:

In connection with the above mentioned order, attached please find copies/originals of the following document(s):
Please transfer Accordingly

☒ Warranty Deed/Grant Deed.

Thank you for using Twin Falls Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jayne Shepard
Escrow Officer
Twin Falls Title & Escrow Company

/JS

encl.



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

A47-04082

RAY L. BEDWELL

RT. 3 BOX 292

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

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: A47-04082
Date Received: 12/19/1988
Receipt No: S004581
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY L. BEDWELL 208-543-8348
Address: RT. 3 BOX 292
BUHL, ID 83316
2. Date of Priority: APR 01, 1920
3. Source: WILSON CREEK Trib. to: MUD CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 27 | SW | NW | | | TWIN FALLS |
5. Description of diverting works:
DITCH, GRAVITY IRRIG.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.160 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/1 HORSE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 09S | 14E | 22 | SE | SW | | IRR | 8.0 |
| Section Acres | | | | | | | 8.0 |

A47-04082

Page 1

Date: 12/19/88

COPY

MICROFILMED
MAR 11 1993

10. Place of Use: Continued

Total Acres 8.0

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 / 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): Ray L. Bedwell Date: 12-19-88
Date:

State of Idaho)
County of TF) SS.

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

Seal

Residing at TF
My Commission Expires 5/94

COPY

MICROFILMED
MAR 11 1993

07/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-4082

NAME AND ADDRESS: TONI A PEARCE
1235A E 4325 N
BUHL ID 83316

MELVIN J PEARCE
1235A E 4325 N
BUHL ID 83316

VERIFIED BY KKC

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 0.180 CFS

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION:

T09S R14E S27 SENWNW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.160 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T09S R14E S22 SESW 5.80

STOCKWATER same as IRRIGATION

5.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

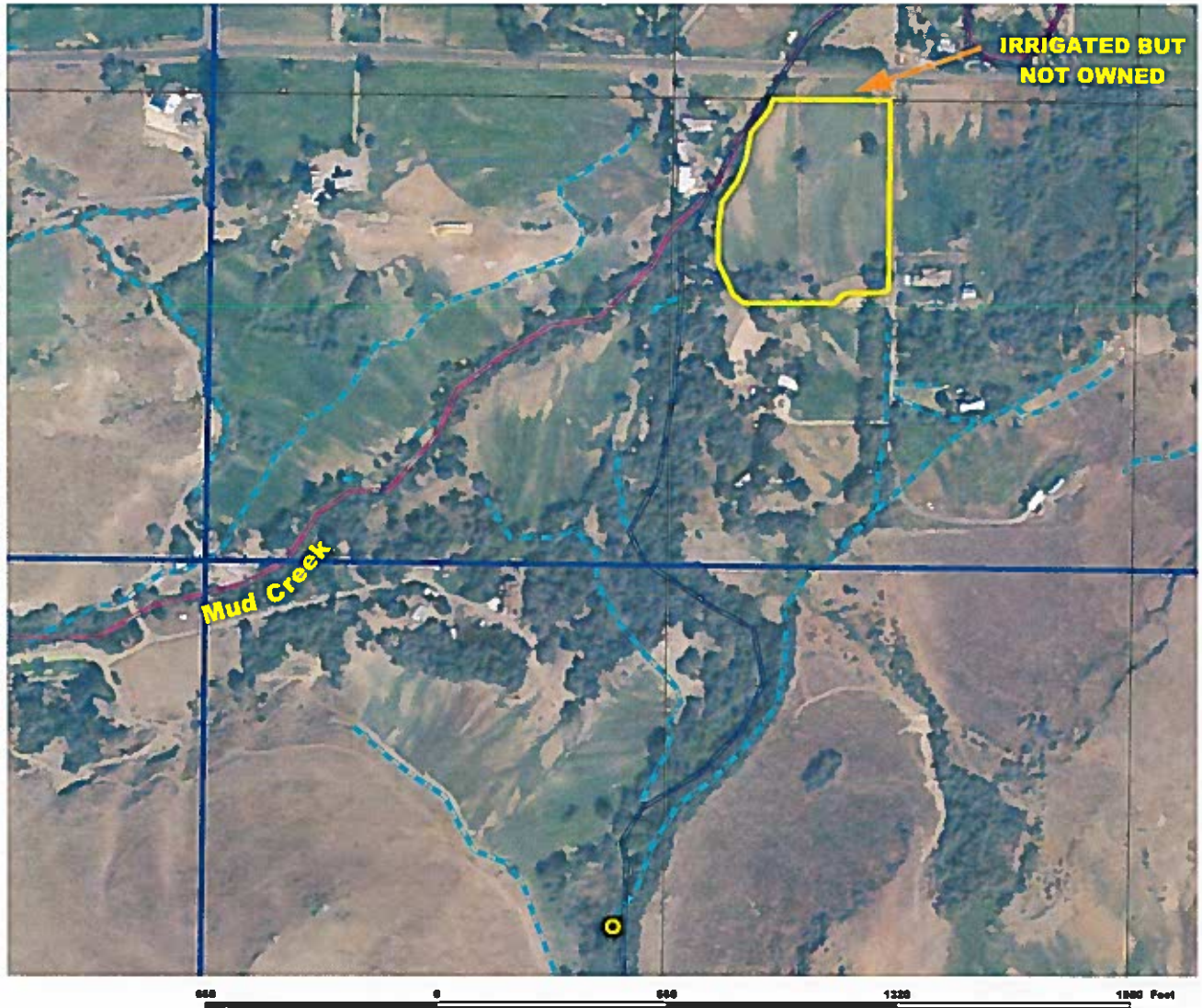
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

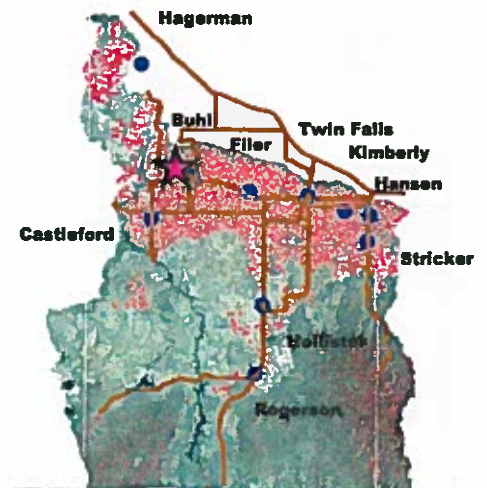
Source is also known as Wilson Creek or L coulee.

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
47-4082**



PLACE OF USE
TWP 9S, RNG 14E, SEC 22
Data entry on JuLY 25, 2006



File No.

47-14988=4082=4083A=10750=4083B

Melvin Pearce
Douglas Newton
Ralph Yatzeck/Bob Bowman
Leo Lawrence

6/13/14/06

On June 13, I met with Melvin and Douglas and reviewed their files , first I met Melvin and informed him that he needed to try and locate someone who could verify the priority date 1920 and he said he would to locate a neighbor that would confirm this date, and he also confirmed that right 14988 is for the East 4 acres and 4082 is for his 8 acres on the west side of his road. While visiting with these two men they both said that this POD from Wilson creek is for all 5 files and they drew out on the photo where the approx. POD is and how the main ditch flows , then we walked up the hill to where their ditch is diverted from Wilson creek which is marked approx. on the color photo. The only lands that I found not used as pasture is the South east corner of Yatzeck- Bowman property which on the side hill , there are some small areas that are rocky and look dry but they are used as pasture and growing grass with horses and stock feeding there appears that some of these small areas are not irrigated but as I observed them as rocky and hard to keep wet.

On June 14, I met with Bob Bowman and Leo, I did give Bob a change of ownership form and told him to go into IDWR and see Kelly about changing the ownership of this form and he assured me he would get in and do this next week when I had forms returned he then marked on photo where his ditches are located . I met with Leo and he verified his 5 acres on the photo and drew where his ditches are located.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
5 WR files	~~Doug~~ 001 1	2433822	1269126	None	1030317

Lee R. Peterson

Place Of Use Data

47-4082

All Flood irrig

2004 aerial photo 9S 14E Sec 22 SESW overview



Wilson Cr aka "L" Lateral

47-4082
melvin Pearce

47-4083B
Leo Lawrence

47-14988
melvin Pearce

47-4083A
Flores

47-10750
Ralph Vatzek
No rights
125 Springs
& W W

Forbes
No right

Sec 22
Sec 27

No Claim

27

47-15277
Tverge
No Claim

Area

50'

hill side
rocky

has been
watered &
will be

SCANNED
FEB 14 2012

Log for claim 47-04082

Spatial Dynamics LTD

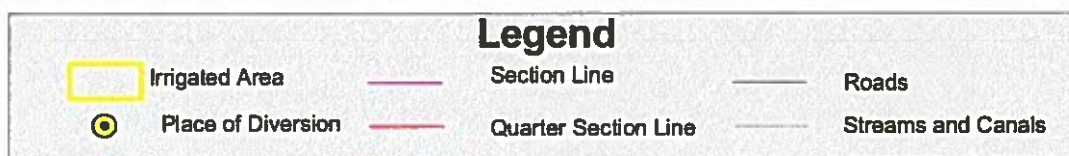
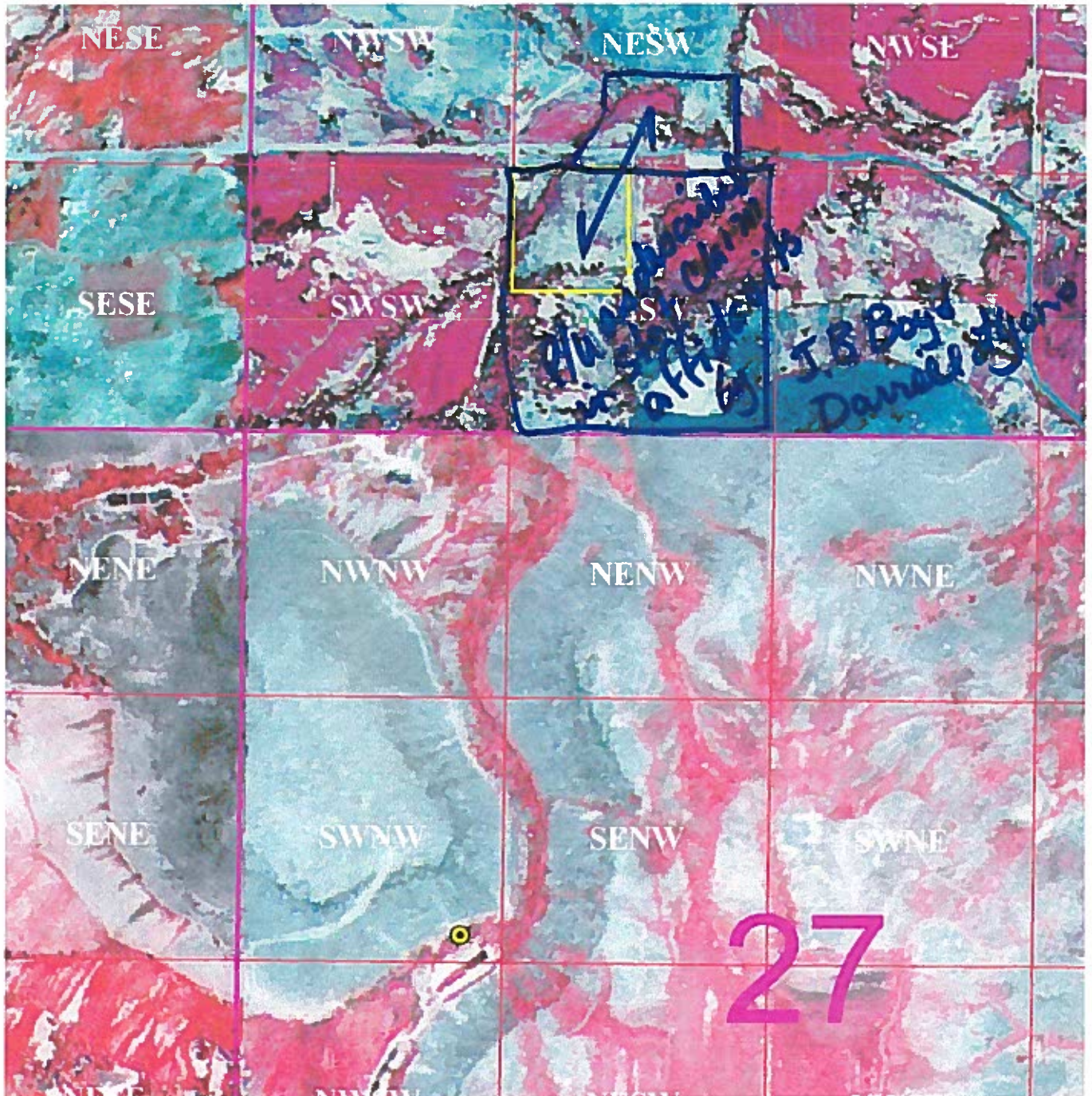
2/20/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	22	SESW	8	8.3	
Totals:			8	8.3	

uses same affidavit
as 4083 (A&B)

Water Right Claim Number 47-04082
Township , 9S14E

02/20/2001



28-15

April 12, 1965

A F F A D A V I T

This affidavit pertains to the following described real estate situated in Twin Falls County, State of Idaho

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ -SW $\frac{1}{4}$) and a tract of land situated in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ -SW $\frac{1}{4}$) of Section Twenty-two (22), South, Range Fourteen (14) E.B.M. described by metes and bounds as follows: Commencing on the Southeast corner of the said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ -SW $\frac{1}{4}$), thence West 180 feet to the true point of beginning; thence West 782 feet to the center of Mud Creek; thence in a general Northeasterly direction to the center of Mud Creek 295 feet; thence North 160 feet; thence South 400 feet to the point of beginning. Subject to road rights-of-ways of record.

I J.B. Boyd swear and affirm that I have lived near this property and have known this particular above described for over a period of 40 years.

During this time I know and swear and affirm that the above described property has been irrigated from waters out of the South Fork of Mud Creek.

J.B. Boyd

State of Idaho
County of Twin Falls

Sworn and subscribed to before me, J.B. Boyd a Notary Public for the State of Idaho by J.B. Boyd known to me to be the identical person whose name is affixed to the foregoing affidavit and acknowledged said instrument to be his voluntary act and deed.

Witness my hand and Notarial Seal
This 13 day of April, 1965

[Signature]
Notary Public
Buhl, Idaho

1965
40
1925

MICROFILMED

April 12, 1965

A F F A D A V I T

This affidavit pertains to the following described real estate situated in Twin Falls County, State of Idaho

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ -SW $\frac{1}{4}$) and a tract of land situated in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ -SW $\frac{1}{4}$) of Section Twenty-two (22), South, Range Fourteen (14) E.B.M. described by metes and bounds as follows: Commencing on the Southeast corner of the said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ -SW $\frac{1}{4}$), thence West 180 feet to the true point of beginning; thence West 782 feet to the center of Mud Creek; thence in a general Northeasterly direction in the center of Mud Creek 293 feet; thence North 160 feet; thence South 400 feet to the point of beginning. Subject to road rights-of-ways of record.

I DARRELL LYONS swear and affirm that I have lived near this property and have known this particular above described for over a period of 46 years.

During this time I know and swear and affirm that the above described property has been irrigated from waters out of the South Fork of Mud Creek.

Darrell Lyons

State of Idaho
County of Twin Falls

Sworn and subscribed to before me, L. E. Byrns
a Notary Public for the State of Idaho by Darrel Lyons
known to me to be the identical person whose name is affixed to the foregoing affidavit and acknowledged said instrument to be his voluntary act and deed.

Witness my hand and Notarial Seal
This 12th day of April, 1965

L. E. Byrns
Notary Public
Buhl, Idaho

1965
46
1919
MICROFILMED

AFFIDAVIT IN SUPPORT OF CLAIM TO WATER RIGHT

I, BILLY RAY, being first duly sworn upon oath, deposes and states as follows:

Regarding the following described real property located in the County of Twin Falls, State of Idaho, more particularly described as:

That portion of the Northwest Quarter Southeast Quarter Southwest Quarter NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-two (22), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian lying Southeast of Mud Creek, containing EIGHT (8) acres more or less.

Your affiant hereby swears and affirms that he has lived on said property since 8/27/76 and has known said property to have been irrigated from waters from Wilson Creek, tributary of Mud Creek, since that time.

Your affiant further swears and affirms that to the best of his knowledge said property has been irrigated from said source since as early as 1920 as set forth in prior affidavits.

Billy Ray

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Billy Ray and Jane Ray, husband and wife,
(name of claimant)
of Rt. 3, Box 208, Buhl, ID 83316, claims a right to the diversion and beneficial use of
543-4554 (mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Wilson Creek
tributary to Mud Creek

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

Amount .16cfs Use Irrigation Period of Use: From 4-1 To 11-1

Amount .02cfs Use Stock _____ Period of Use: From 1-1 To 12-31

Amount	Use	Period of Use: From	To
--------	-----	---------------------	----

(cfs, gpm
or a/d)

(dom., irri.,
stock, etc.)

(

ates inclusive)

(both dates inclusive)

- (3) Total quantity of water claimed: -18 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1920.

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

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

SW ¼ NW ¼, Sec. 27 Twp. 9 South Rge. 14 East 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. existing lateral or irrigation ditch,
approximately 3 feet wide by 2 feet deep.

- (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.

[illegible]

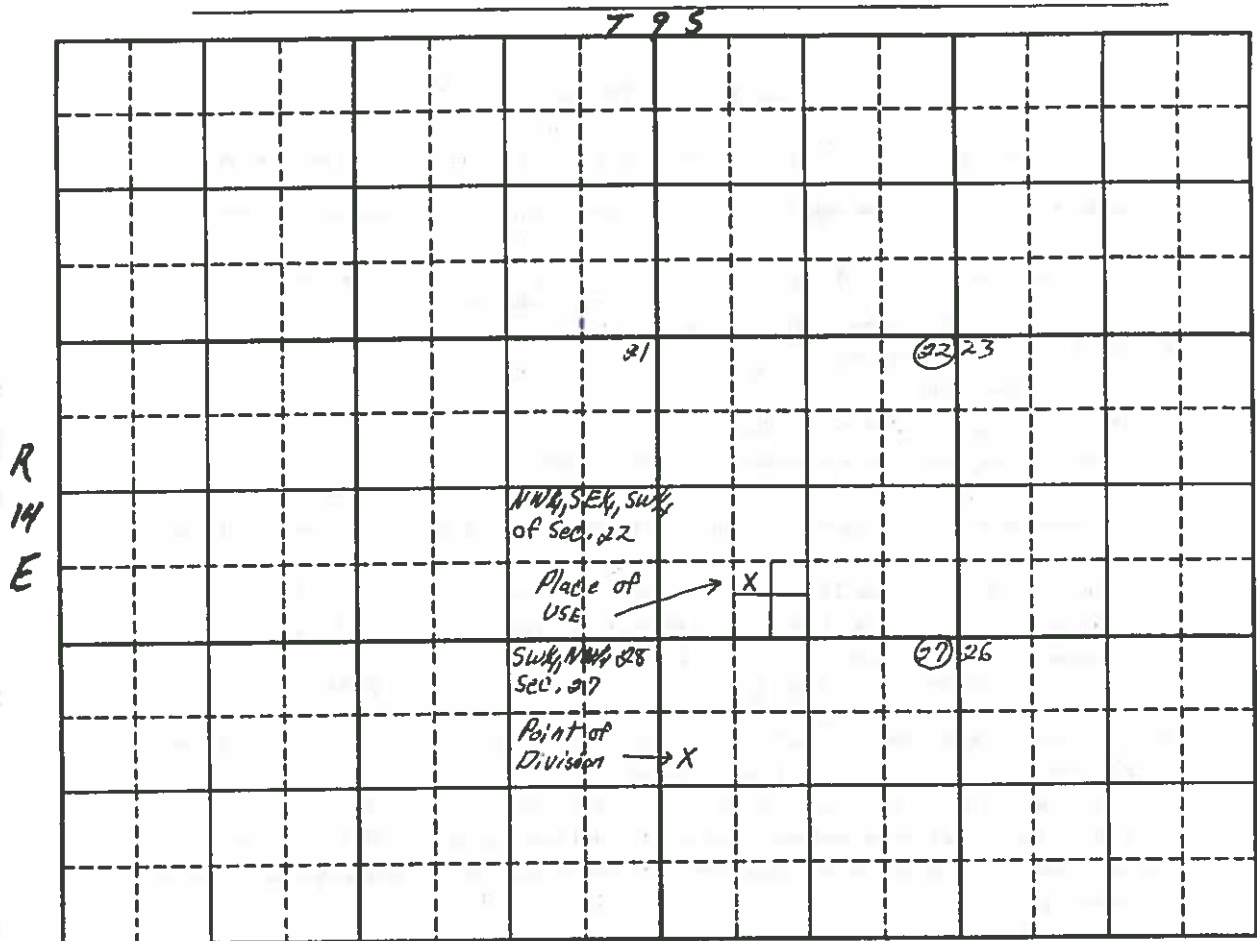
Total No. of acres 8

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

Livestock

- (7) If you are claiming water as a member of an organization, list name of organization:

- (8) Remarks Affidavits attached from existing and prior, owners and neighbors, establishing prior water rights.



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)
) ss.
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 affiants knowledge.

Sworn to before me this 23rd day of February, 19 78.

James V. Johnson
Notary Public

Residing at Tecoma

My commission expires 3-8-78

For Department Use Only

Received by <u>J. G. Clinton</u>	Date <u>2-24-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>D.S.</u>	Date <u>2/27/78</u>		claimant by:	
\$10.00 fee received by <u>Sm</u>	Date <u>2/24/78</u> #9543			
Approved for publication by <u>OC</u>	Date <u>2/27/78</u>			
Published in <u>Twin Falls</u>				
Dates <u>3/9-13/78</u>				