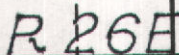


- | | | | | |
|--|--|--|--|--|
| water in excess of the statutory limit of one (1) minute | | | | |
| due to the gravelly character of the soil and ditches in the area and high | | | | |
| infiltration rates of some of the soils in the area. | | | | |



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.

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 25 day of July, 1972

My commission expires life

For Department Use Only

Received by <u>Sm</u>	Date <u>1/18/78</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>Sm</u>	Date <u>7/29/77</u>	_____	claimant by: _____	_____
\$10.00 fee received by <u>Sm</u>	Date <u>8/2/77</u>	_____	_____	_____
Approved for publication by <u>Dj</u>	Date <u>7/29/77</u>	<u>#8685</u>	_____	_____
Published in <u>South Idaho Press</u>	_____	_____	_____	_____
Dates <u>10/25 + 11/1/77</u>	<u>1/31 + 2/6/78</u>	_____	_____	_____
	<u>Dj 2/9/78</u>	_____	_____	_____

78-23

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 43-4078**

Notice is hereby given that Claim to a Water Right No. 43-4078 in the name of Kenneth A. McFarland, Decd., ID 83323, was filed for the diversion of 60 cubic feet per second of water from ground water in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 12S, Rge. 26E, B.M. Cassia County, to be used from Mar. 15 to Nov. 15 for irrigation purposes of 227 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 13, and that portion of the NE $\frac{1}{4}$ Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E, B.M.

Claim to a Water Right No. 43-4078 is hereby amended to be used from Mar. 15 to Nov. 15 for irrigation purposes of 228.3 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 13; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 14, Twp. 12S, Rge. 26E, B.M.

Any exception to the amending of this Claim must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on January 31, and February 6, 1978.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

JAN 31 1950

Department of Water Resources
Southern District Office

Name of applicant Kenneth A. McFarland Phone APPROVED
Post office address Star Route, Declo, Idaho 83323

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. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 43-4047 and 43-4078 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 _____
3. Source of water ground water tributary to _____
4. Date of priority 43-4047 - Sept. 28, 1948, 43-4078 - June 1, 1950
5. Water is used for the following purposes:
amount 4.0 cfs for irrigation purposes from April 1 to October 31
amount .60 cfs for irrigation purposes from March 15 to November 15
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 4.60 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13
Township 12S Range 26E, B.M., in Cassia County
Additional points of diversion, if any NW NE Sec. 13, T12S, R26E

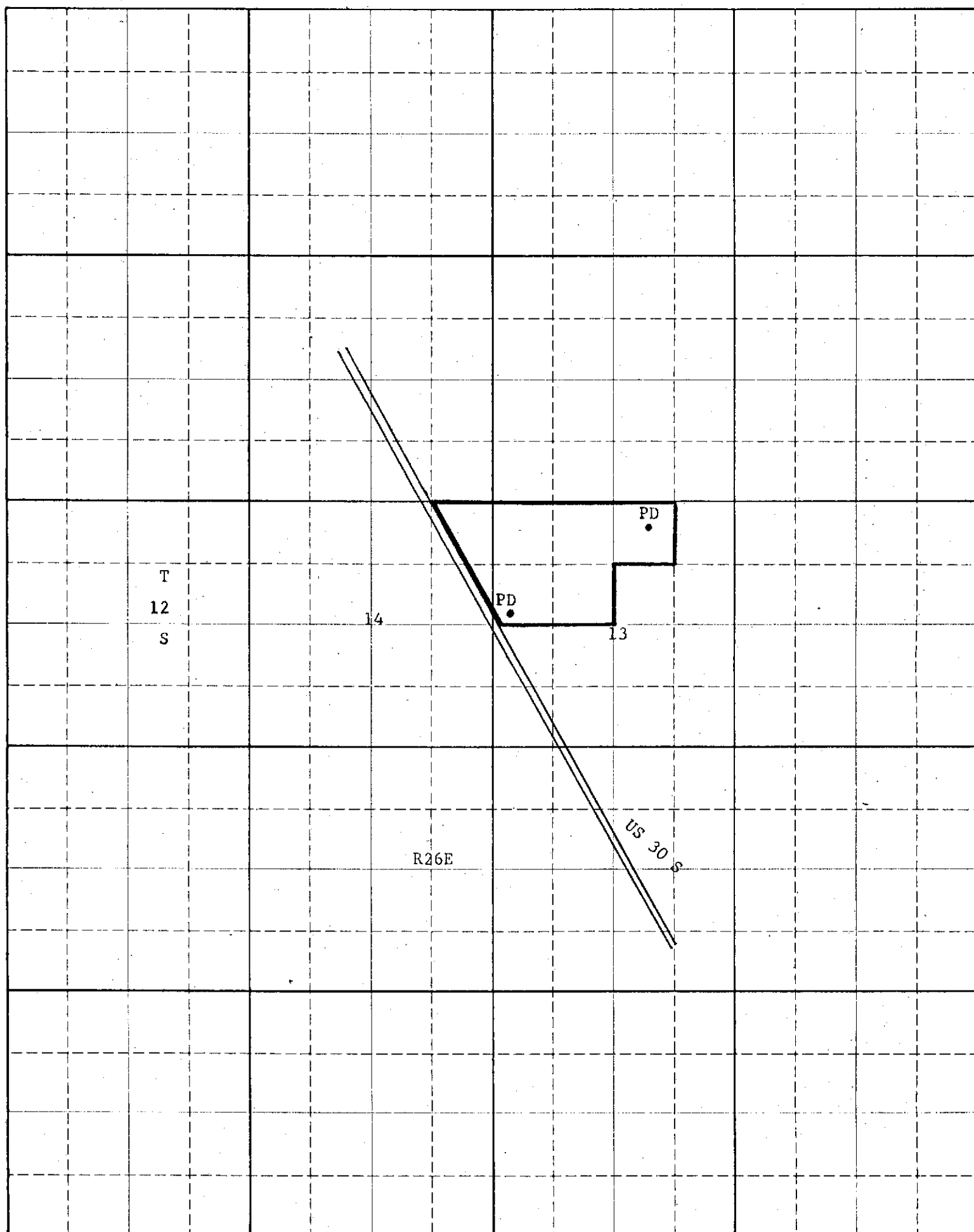
8. Lands irrigated or place of use:

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 $\frac{1}{4}$	
12S	26E	13		40			40	40	36	40									196
12S	26E	14	26.1			6.2													32.3

Total number of acres to be irrigated 228.3

RECORDED

- b. 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.

7700071120

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion
- a. Amount of water to be diverted 4.60 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW ¼ NW ¼, Section 13 Township 12S
Range 26E, B.M., Cassia County _____
Additional points NW NE Sec. 13, T12S, R26E, Cassia County

- c. Description of diverting works The water will be withdrawn from one or both of two wells located at the respective points of diversion as listed in this application for transfer. The wells will be equipped with deep well turbine pumps tying in to a closed buried sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion This application for transfer is filed in order to merge the water rights as listed under the claims herein specified to provide greater flexibility in the operation of the farm. This application if approved will provide the applicant with the ability to pump the entire supply of water for the farm from either well which is important because of the crop rotation pattern and the decreasing yield from the well located in the SW¼ NW¼ of Sec. 13. There will be no increase in the amount of lands irrigated or the quantity of water withdrawn from these wells but only an increase in efficiency and flexibility.
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred: NO CHANGE

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

3. Remarks Because of the move to irrigate these lands with a totally enclosed sprinkler system, efficiency and flexibility will be increased which probably will result in a decrease in the amount of water pumped thus relieving some stress on the Raft River aquifer. The applicant plans to invest significant time and money in upgrading the system and this transfer is necessary to provide the flexibility needed to operate this system efficiently.

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.

Kenneth McFarland
(Signature of applicant)

Subscribed and sworn to before me this 15th day of January, 19 79

Gene Baxter
(Notary public)

My commission expires life term

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4047 & 43-4078, and said application is hereby APPROVED.

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

Approval of this Transfer in no way validates Water Claims No.'s 43-4047 & 43-4078.

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

Witness my hand this 11TH day of May, 19 79

Norman C Young

FOR DEPARTMENT USE ONLY

APPROVED

Received by gf Date 1-24-79

Protest filed by _____

Prelim. check by _____ Fee 35.00

Receipted by maria Date 1-24-79 #12677

Copies of protest forwarded by _____

Published in South Idaho Press

Hearing held by _____ Date _____

Pub. dates 2/27/79 & 3/6/79

Recommended for approval denial

Watermaster recommendation requested on N/A

by LS JS.

rec'd.

Sherl L. Chapman
4706 Fairview Avenue
Boise, Idaho 83704
375-6181

STATE OF IDAHO

Section 42-225a, Idaho Code

Department of Water
Southern District Office

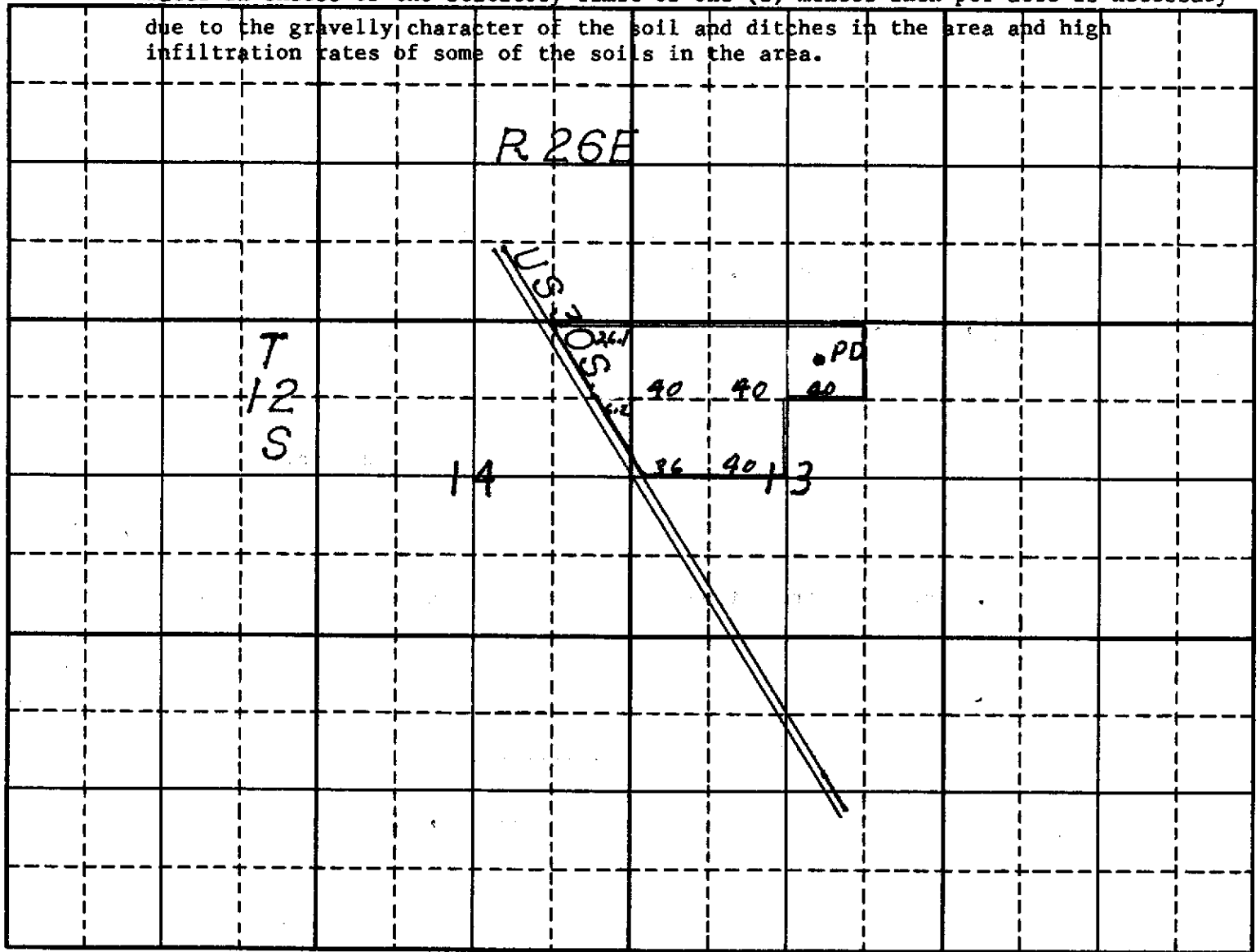
Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however,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

(name of claimant)

the public water of the State of Idaho

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

(8) Remarks This claim is to supplement claim #43-4047 for 200 miners inches or 4.0 cfs.
The pumping system has, in the past, pumped at least 230 miners inches as evidenced
by the attached affidavits, the additional 30 inches will have a priority date of
June 1, 1950 because of the lack of proof of beneficial use prior to that date. The
water in excess of the statutory limit of one (1) miners inch per acre is necessary
due to the gravelly character of the soil and ditches in the area and high
infiltration rates of some of the soils in the area.



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 Cassia)

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 25 day of July, 1977

Norman H. McFarland
 (Claimant)

Notary Public

Residing at Malta, Idaho

My commission expires life

For Department Use Only

Received by <u>Sm</u>	Date <u>1/18/78</u>	Exception filed by:	Forwarded to
Prelim. check by <u>Sm</u>	Date <u>7/29/77</u>		claimant by:
\$10.00 fee received by <u>Sm</u>	Date <u>8/2/77</u>		
Approved for publication by <u>Sm</u>	Date <u>7/29/77</u>		
Published in <u>South Idaho Press</u>			
Dates <u>10/25 + 11/1/77</u>	<u>131 + 2/6/78</u>		
	<u>2/9/78</u>		

POWER OF ATTORNEY

RECEIVED

JAN 18 1978

Department of Water Resources
Southern District Office

The undersigned holder (s) of Claim No. 43-4078 of the
Department of Water Resources of the State of Idaho hereby nominates
Sherl L. Chapman, whose address is 4706 Fairview Avenue,
Boise, Idaho 83704, as attorney-in-fact, with full authority
to act for and on behalf of the undersigned in all matters pertaining to
the above numbered claim, permit or application. Such acts shall include,
but not be limited to, the filing of claims and applications, receiving
of all notices, the signing and filing of applications for extension of
time and for amendment of said Claim, and the submission of proofs of
completion of works and beneficial use of water.

Dated this 9 day of January, 1978.

Kenneth McFarland

STATE OF IDAHO)
County Cassia) ss

On this 3rd day of January, 1978, personally
appeared before me the signer (s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Gene Baxter
Notary Public

My Commission expires:

life term

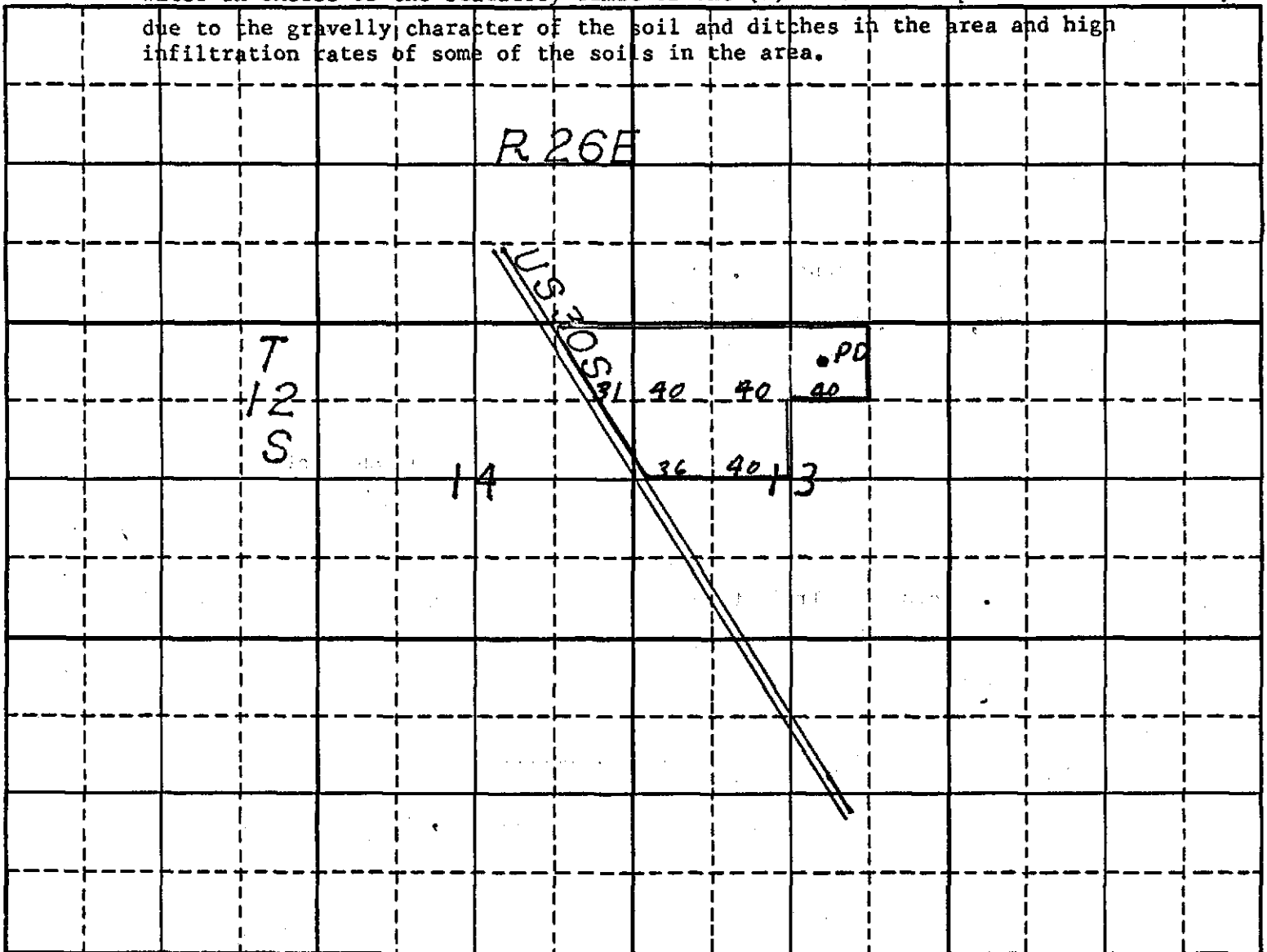
RECEIVED

Claim No. 43-4078

Section 42-225a, Idaho Code

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

(8) Remarks This claim is to supplement claim #43-4047 for 200 miners inches or 4.0 cfs. The pumping system has, in the past, pumped at least 230 miners inches as evidenced by the attached affidavits, the additional 30 inches will have a priority date of June 1, 1950 because of the lack of proof of beneficial use prior to that date. The water in excess of the statutory limit of one (1) miners inch per acre is necessary due to the gravelly character of the soil and ditches in the area and high infiltration rates of some of the soils in the area.



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 Blaine)

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 25 day of July, 1977.

Kenneth W. F. Farnham
(Claimant)

Notary Public

Residing at Malta, Idaho

My commission expires life

For Department Use Only

Received by <u>Am</u>	Date <u>7/29/77</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>Am</u>	Date <u>8/2/77</u>			
\$10.00 fee received by <u>Am</u>	Date <u>7/29/77</u>	<u>8685</u>		
Approved for publication by <u>Am</u>	Date <u>11/29/77</u>			
Published in <u>South Idaho Press</u>				
Dates <u>10/35 + 11/1/77</u>				

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Cindy Duffin, being first
duly sworn, deposes and says that she is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2 times
consecutive weeks, commencing with the issue
dated Jan. 31 19 78, and ending
with the issue dated Feb. 6, 19 78.

Cindy Duffin

Subscribed and sworn to before me
this 6th day of Feb.
19 78.

1 Notary Public

Cost of Publication 11.20

Notary Fee _____

Total Cost 11.20

RECEIVED

FEB 8 1978

Department of Water Resources
Southern District Office

OK
2/9/78

778-23

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 43-4078**

Notice is hereby given that Claim to
a Water Right No. 43-4078 in the name
of Kenneth A. McFarland, Declo, ID
83323, was filed for the diversion of
.60 cubic feet per second of water from
ground water in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
13, Twp. 12S, Rge. 26E, B.M. Cassia
County, to be used from Mar. 15 to
Nov. 15 for irrigation purposes of 227
acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$,
Sec. 13; and that portion of the NE $\frac{1}{4}$,
Sec. 14, east of Highway 30S, Twp.
12S, Rge. 26E, B.M.

Claim to a Water Right No. 43-4078
is hereby amended to be used from
Mar. 15 to Nov. 15 for irrigation pur-
poses of 228.3 acres within the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 13; E $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 14, Twp. 12S, Rge. 26E, B.M.

Any exception to the amending of
this Claim must be filed with the Idaho
Department of Water Resources, 1041
Blue Lakes Blvd. North, Twin Falls,
Idaho 83301.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on
January 31, and February 6, 1978.

RECEIVED

NOV 15 1977

SOUTH IDAHO PRESS

BURLEY, IDAHO

Department of Water Resources
Southern District Office

AFFIDAVIT OF PUBLICATION

77-482

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 43-4078

NOTICE IS HEREBY given that Kenneth A. McFarland, Declo, ID 83323 has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from groundwater with point of diversion in the NW 1/4 NE 1/4, Sec. 13, Twp. 12S, Rge. 26E., B.M., Cassia County.

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation purposes of 227 acres with a priority of June 1, 1950 the place of use is within the NW 1/4 NE 1/4, NW 1/4, Sec. 13, and that portion of the NE 1/4 of Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before November 11, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on October 25 & November 1, 1977.

County of Cassia,)
STATE OF IDAHO) ss.

Cindy Ruffin being first

duly sworn, deposes and says that he is the

Bob Ruffin of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *two times* consecutive weeks, commencing with the issue

dated *Oct 25* 1977, and ending

with the issue dated *Nov 1* 1977

Cindy Ruffin

Subscribed and sworn to before me

this *15th* day of *November*

1977.

James M. Allred

Notary Public

Cost of Publication

Notary Fee

Total Cost *\$10.85*

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO, MY COMMISSION
EXPIRES JUNE 21, 1981

INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

*Original correspondence
in 43-4847.*

MICROFILMED

SIGNATURE

May 16, 1979

Re: Transfer of Water Right No.'s 43-4047/43-4048

Kenneth A. McFarland
Star Route
Declo, ID 83323

Dear Mr. McFarland:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2310). Be sure to note the condition of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS;jg
Enclosure

100-4048

DEPARTMENT OF WATER RESOURCES
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

<u>Item</u>	<u>Initial</u>	<u>Date</u>	<u>Amended</u> Claim No. <u>43-4078 - Kenneth A. McFarland</u>
			<u> </u> Name, Address, Telephone
			<u> </u> Source
			<u> </u> Quantity, Purpose, Period of Use
			<u> </u> Priority (Year & Month) (Day Optional)
			<u> </u> Point of Diversion
			<u> </u> Description of Diverting Works
			<u> </u> Place of Use
			<u> </u> Map
			<u> </u> Signature
			<u> </u> Notorized
			<u> </u> Fee
(1)	<u>(no chrg. sn)</u>		In Form To Receipt
(2)	<u>JS</u>	<u>1-19-78</u>	In Form For Advertising
(3)	<u> </u>	<u> </u>	Exceptions Filed: Yes <u> </u> No <u>✓</u>
(4)	<u>sn</u>	<u>1/19/78</u>	Copy To Boise

MICROFILMED

February 22, 1978

Mr. Sherl L. Chapman
4706 Fairview Avenue
Boise, ID 83704

Re: Claim to a Water Right No. 43-4078 - Kenneth A. McFarland

Dear Mr. Chapman:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosure

February 22, 1978

Mr. Sherl L. Chapman
4706 Fairview Avenue
Boise, ID 83704

Re: Claim to a Water Right No. 43-4078 - Kenneth A. McFarland

Dear Mr. Chapman:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosure

RECEIVED
FEB 23 1978
SOUTHERN REGION
SUPERVISOR

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 43-4078

Notice is hereby given that Claim to a Water Right No. 43-4078 in the name of Kenneth A. McFarland, Declo, ID 83323, was filed for the diversion of .60 cubic feet per second of water from ground water in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 12S, Rge. 26E., B.M., Cassia County, to be used from Mar. 15 to Nov. 15 for irrigation purposes of 227 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 13; and that portion of the NE $\frac{1}{4}$, Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E., B.M.

Claim to a Water Right No. 43-4078 is hereby amended to be used from Mar. 15 to Nov. 15 for irrigation purposes of 228.3 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 13; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 14, Twp. 12S, Rge. 26E., B.M.

Any exception to the amending of this Claim must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on 1/31 and 2/7/78.

78-23

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 43-4078**

Notice is hereby given that Claim to a Water Right No. 43-4078 in the name of Kenneth A. McFarland, Dec'd, ID 83323, was filed for the diversion of 60 cubic feet per second of water from ground water in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, Twp. 12S, Rge. 26E, B.M. Cassia County, to be used from Mar. 15 to Nov. 15 for irrigation purposes of 227 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 13, and that portion of the NE $\frac{1}{4}$ Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E, B.M.

Claim to a Water Right No. 43-4078 is hereby amended to be used from Mar. 15 to Nov. 15 for irrigation purposes of 228.3 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 13, E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 14, Twp. 12S, Rge. 26E, B.M.

Any exception to the amending of this Claim must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301.

01 OF 1125
C. STEPHEN ALLRED
Director
Published in The South Idaho Press on
January 31, and February 1, 1978

RECORDED

January 19, 1978

South Idaho Press

Box 200

Boise, ID 83318

Re: Amended Claim to a Patent Right No. 43-4078 - Robert A. McFarland

Sir:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have indicated the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southeast Region Supervisor

ML:jam

Encs

Bill [unclear]

January 19, 1978

South Idaho Press
Box 190
Burley, ID 83318

Re: Amended Claim to a Water Right No. 43-4078 - Kenneth A. McFarland

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: _____

MICROFILMED

December 29, 1977

Mr. Sherl Chapman
4706 Fairview Avenue
Boise, Idaho 83704

Dear Chapman;

On November 27, 1977, I returned a Claim to a Water Right 43-4078 in the name of Kenneth A. McFarland to you for additional information. Please advise me on the status of this claim.

If you have any further questions, please feel free to contact this office.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:dj

December 2, 1977

Mr. Sherl L. Chapman
4706 Fairview Avenue
Boise, ID 83704

Dear Mr. Chapman:

Regarding your letter dated November 27, 1977, I am returning the Claim to a Water Right filed by Kenneth A. McFarland for the additions needed.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosure

Sherl L. Chapman
CONSULTANT

4706 FAIRVIEW AVENUE / BOISE, IDAHO 83704 / PHONE 375-6131

November 22, 1977

RECEIVED

NOV 25 1977

Mr. Mike Steele
Department of Water Administration
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

Department of Water Resources
Southern District Office

Dear Mr. Steele:

Received your letter with regard to claim 43-4078 for Kenneth McFarland. The information I relayed to you was at the request of the Department and was, I felt, unnecessary since it was not required on previous claims to water rights filed for the same land from the same water source. The information, I thought, was for clarification in your own mind rather than formal material to be included on the claim form, however, if you wish the claim altered before the same notary, I would appreciate your returning it to me in order that I may get it to Mr. McFarland for the required change. I do not feel that he should be required to fully complete another claim form and get it re-notarized.

If you have any questions, please feel free to call me at any time.

Sincerely yours,

Sherl L. Chapman
Sherl L. Chapman
Consultant

SLC:kje

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

November 15, 1977

Mr. Sherl L. Chapman
4706 Fairview Avenue
Boise, ID 83704

Re: Claim to a Water Right No. 43-2078 - Kenneth A. McFarland

Dear Mr. Chapman:

The application for claim form is a notarized document and, therefore, it cannot be altered except by the person signing the document in front of that notary. Therefore, it will be necessary for the applicant to make those corrections on the claim form.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

NO. 43-4078

Notice is hereby given that Kenneth A. McFarland

Declo, ID 83323

has filed a claim to a water right established by diversion and application
to beneficial use of 0.60 cubic feet per second ~~acre feet per annum~~
of water from ground water

with point of diversion in the NW 1/4, Sec. 13, Twp. 12S, Rge. 26E., B.M.,
Cassia County

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation
purposes of 227 acres.

with a priority of June 1, 1950.;

the place of use is within the NW 1/4, NW 1/4, Sec. 13, and that portion of the
NE 1/4 of Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301 on or before November 11, 1977.

C. Stephen Allred

Director

Published in the South Idaho Press

on 10/25 and 11/1/77

MICROFILMED

77-482

10/12/77
**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 43-4078**

NOTICE IS HEREBY given that Kenneth A. McFarland, Declo, ID 83323 has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from groundwater with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 12S, Rge. 26E., B.M., Cassia County.

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation purposes of 227 acres with a priority of June 1, 1950 the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 13, and that portion of the NE $\frac{1}{4}$ of Sec. 14, east of Highway 30S, Twp. 12S, Rge. 26E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before November 11, 1977.

C. Stephen Allied
Director

Published in the South Idaho Press on
October 25 & November 1, 1977.

October 18, 1977

South Idaho Press
Box 190
Burley, ID 83318

Re: Claim to a Water Right No. 43-4078 - Kenneth A. McFarland

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: _____

Sheri L. Chapman
CONSULTANT

4706 FAIRVIEW AVENUE / BOISE, IDAHO 83704 / PHONE 375-6131

RECEIVED

JUL 28 1977

Depens

Service

July 28, 1977

Mr. Mike Steele
Southern District Chief
Department of Water Resources
Twin Falls, Idaho 83301

Dear Mike:

Enclosed you will find a Claim to Water Right filed in behalf of Kenneth A. McFarland of Declo, Idaho. This claim with attached affidavits, is for .6 cfs or 30 miners inches. The claim supplements claim #43-4047 for 200 miners inches since Mr. McFarland has, in the past, pumped 230 inches for the irrigation of some 229 acres of land. Apparently, because of a lack of understanding in the past, Mr. McFarland's agent, with regard to the procedures for establishing a constitutional use right, the previous claim was only filed for 200 miners inches instead of the full 230. We are providing affidavits for your information from individuals living in the area and having personal knowledge of the amount of water pumped in the past and the lands irrigated.

If you have any questions regarding the application, please feel free to contact me at any time.

Sincerely yours,



Sheri L. Chapman
Consultant

SLC:kje
cc:Mr. Ken McFarland

RECEIVED

SPECIALIST IN
GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

AFFIDAVIT

RECEIVED

JUN 20 1977

Department of Water Resources
Spectrum District Office

I, Ether J Parke, of Matta Idaho
Post Office Address

do hereby affirm that I have personal knowledge of the well located in the
NW 1/4, NE 1/4, Section 13, Township 12, Range 06, commonly known
as the _____ well. Information I can formally attest to is as follows:

1. Date drilled 1946
2. Well driller Schoonover (deceased)
3. Date of first use of water June 1958
4. Nature of use for irrigation
5. Quantity of water diverted 2.30 inches
6. Lands irrigated by this well 229 acres
7. Duration of use each year, from April to Nov.
8. Other information this well used to pump 200 in.
with 30 horse pumps at 40 feet.

Ether J Parke
Signature

STATE OF Idaho
County of Cassia

Subscribed and sworn to before me this 10th day of February, 1976

(NOTARY SEAL)

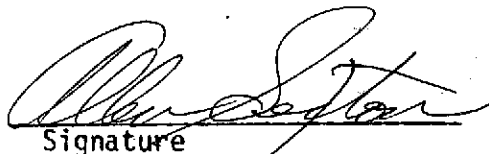
Gene Baxter
Notary Public

AFFIDAVIT

I, Allen Sexton, of Star Route - Declo, Idaho
Post Office Address

do hereby affirm that I have personal knowledge of the well located in the
NW 1/4, NE 1/4, Section 13, Township 12, Range 26, commonly known
as the McFarland well. Information I can formally attest to is as follows:

1. Date drilled 1946
2. Well driller Schoonover (deceased)
3. Date of first use of water _____
4. Nature of use for irrigation
5. Quantity of water diverted 230" more or less
6. Lands irrigated by this well 229 acres
7. Duration of use each year, from April to Nov.
8. Other information _____


Signature

STATE OF Idaho

County of Cassia

Subscribed and sworn to before me this 30th day of January, 1976

(NOTARY SEAL)


Marie Larson Notary Public

AFFIDAVIT

I, Richard Kassman, of Malta Idaho 83342
Post Office Address

do hereby affirm that I have personal knowledge of the well located in the
NW. 1/4, NE 1/4, Section 13, Township 12, Range 26, commonly known
as the _____ well. Information I can formally attest to is as follows:

1. Date drilled 1946
2. Well driller Schoonover (deceased)
3. Date of first use of water June 1950
4. Nature of use for irrigation
5. Quantity of water diverted approximately 230 inches
6. Lands irrigated by this well 229 acres more or less
7. Duration of use each year, from April to Nov.
8. Other information _____

Richard Kassman
Signature

STATE OF Idaho
County of Cassia

Subscribed and sworn to before me this 9th day of February, 1976

(NOTARY SEAL)

Gene Rafter
Notary Public

August 2, 1977

Mr. Sherl L. Chapman
4706 Fairview Avenue
Boise, ID 83704

Re: Claim to a Water Right No. 43-4078 - Kenneth A. McFarland

Dear Mr. Chapman:

Enclosed is your receipt No. 8685 for check No. 92-122 in the amount of \$10.00 for the above-referenced claim to a water right which was received in this office July 29, 1977.

Sincerely,

Sheryl Munsee
Secretary

Enclosure

