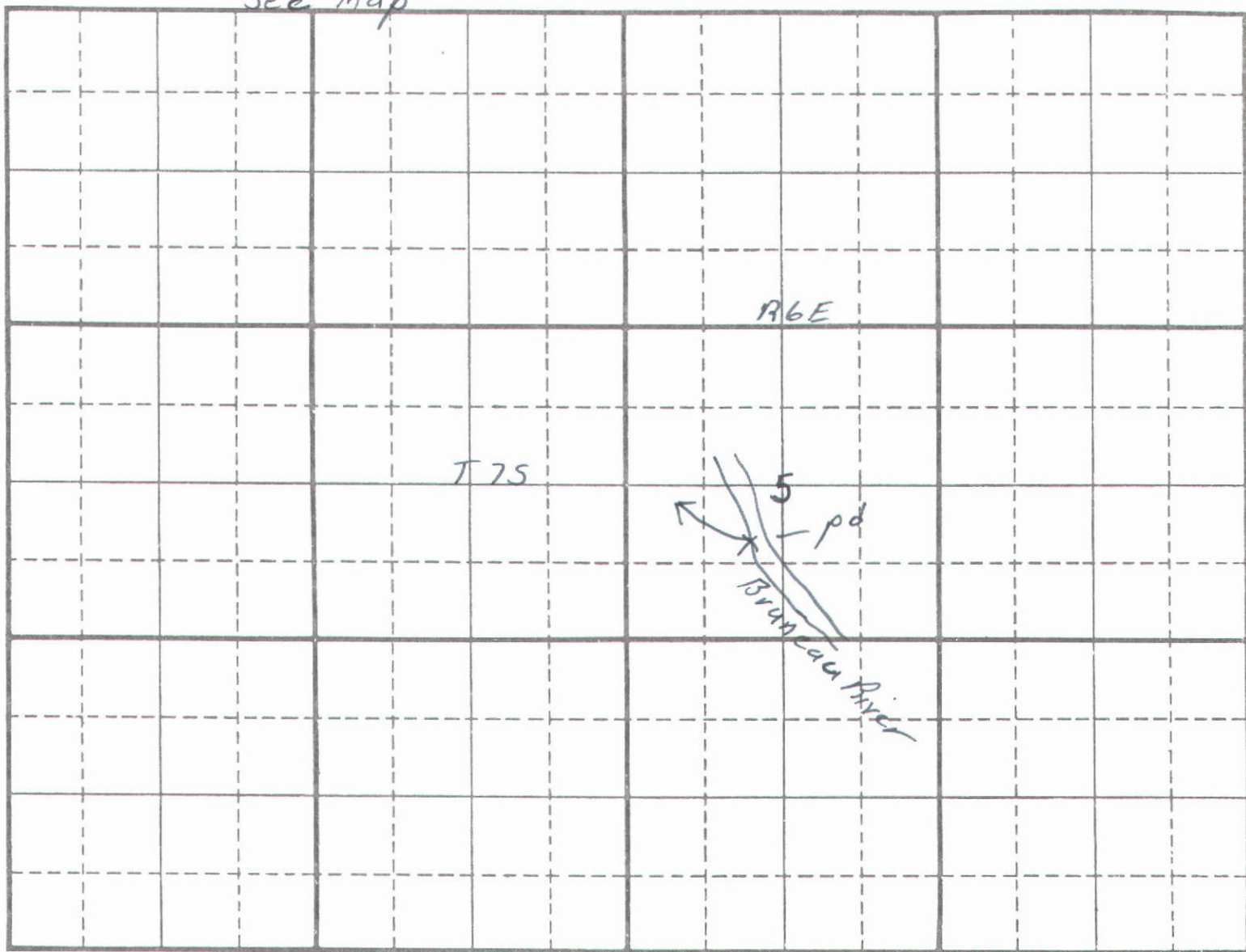


(8) Remarks _____

See Map



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 Gem)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Frank Davis - Pres.
 (Claimant)

Sworn to before me this 29 day of May, 19 84

[Signature]
 Notary Public
 Residing at Emmett

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by <u>GLS</u>	Date <u>5/29/84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>6/14/84</u>	*	claimant by:	
~~\$30.00~~ fee received by <u>100.00</u>	Date <u>5/29/84</u>	34448		
Published in <u>Owyhee Nugget</u>				
Dates <u>6/28 & 7/5/84</u>				

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 27 day of June, 1984, and the last publication being on the 4 day of July, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

July, 1984.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim has been filed on water rights created by diversion and beneficial use: ✓SR

51-4096

SOUTH SIDE BRUNEAU CANAL CO.

RT. B BOX 138, BRUNEAU, ID 83604

Source: BRUNEAU RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1905

Diversion Pt: NESW Sec 05 T 07S R 06E

Use: IRRIGATION (24.00 CFS)

STOCKWATER (8.00 CFS)

P/U: Within the lands of the South Side Bruneau Canal Co. 1200 Acres

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published in the Owyhee Nugget, Marsing and Homedale, Owyhee County, Idaho 6/27 & 7/4/1984.

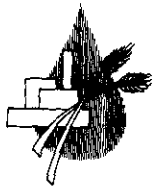
RECEIVED
JUL 12 1984

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-220(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim

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

Notice is hereby given that South Side Bruneau Canal Co.
(Name of Claimant)

Rt. B., Box 138 Bruneau, ID 83604 Telephone No. 845-2633
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 4/1/1905

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Bruneau River tributary to Snake River

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>24.0</u>	Use	<u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>8.0</u>	Use	<u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity	<u>24.0</u>	Use		Period of Use From	To

(4) 24.0 TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 5 Twp. 7S Rge. 6E B.M., County of Owyhee
Additional points of diversion.

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion Dam with gravity ditch

(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.

Lands under Canal Co.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
																			1200

No. of acres 1200

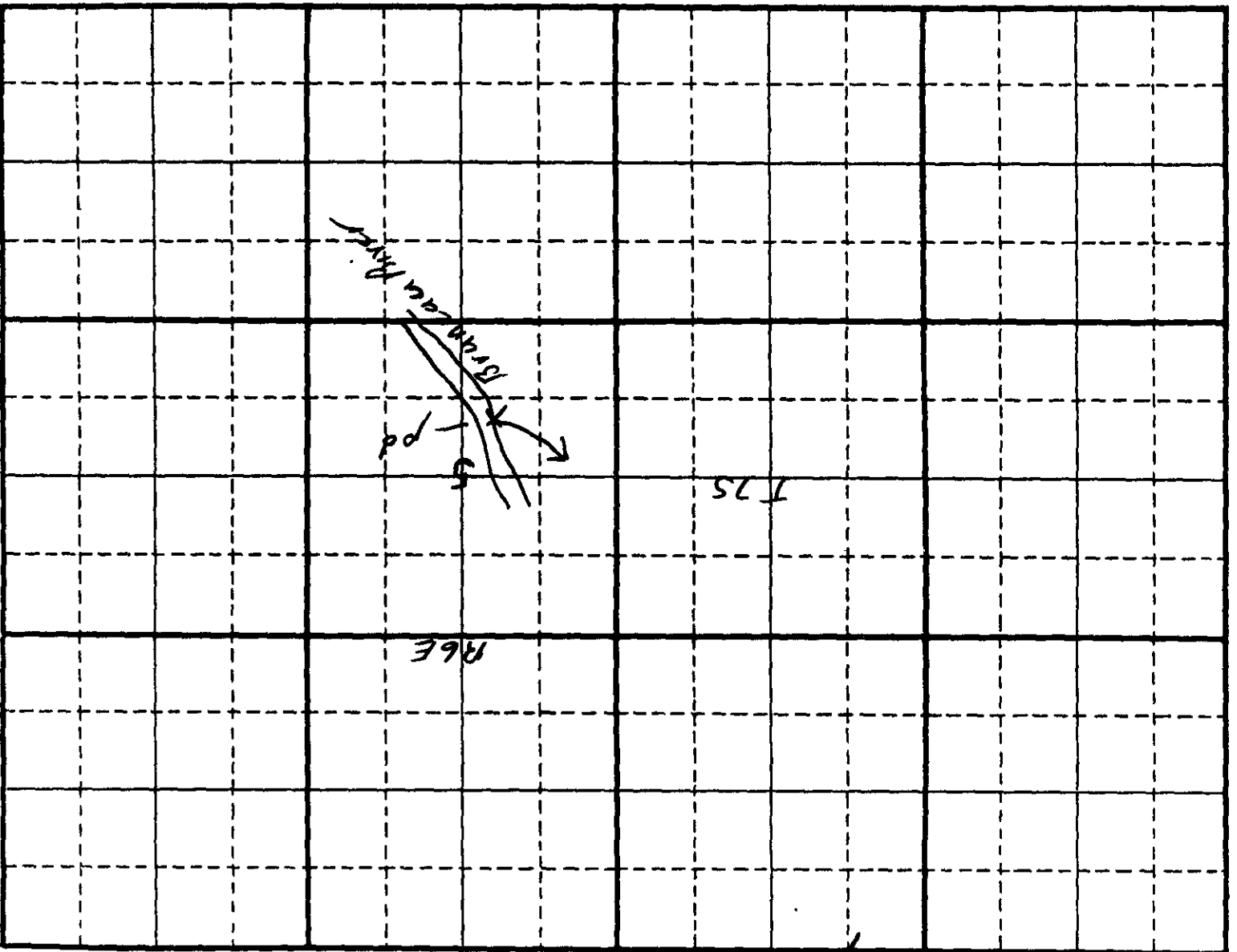
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE Include here the type and number of stock watered

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

RECORDED

See Map



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of) ss.)
Gow

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29 day of May, 1984
(Claimant)
Frank Henry - Gow

Notary Public
Residing at
Cumeth

My commission expires *lifetime*

FOR DEPARTMENT USE ONLY
Received by 665 Prelim. check by 665 Date 5/29/84 Exception filed by: Forwarded to Date
Date 6/14/84
Fee received by 1000 Date 5/29/84
Published in Owyhee Nugget 6/28 & 7/5/84 Dates

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

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That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

July, 1984

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED

RECEIVED
JUL 15 1984

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CLS

Right Number 51 - 4096 Applicant South Side Bruneau Canal Co.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 7/12/84
- ☒ Claim published correctly. swisher nugget
100/34442
- ☒ Exceptions processed. 6/27 & 7/4/84

By DBS Date 7/27/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/1/84

RECEIVED

RECEIVED
AUG 1 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 18, 1984

SOUTH SIDE BRUNEAU CANAL CO.
RT. B BOX 138
BRUNEAU ID 83604

RE: Claim No. 51-4096

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

102 4096

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 21, 1984

Dwvhee Nusset
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 16, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILM

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 06/27 & 07/04/84.

RECEIVED

51-4096

SOUTH SIDE BRUNEAU CANAL CO.

RT. B BOX 138, BRUNEAU, ID 83604

Source: BRUNEAU RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1905

Diversion Pt: NESW Sec 05 T 07S R 06E

Use: IRRIGATION	(24.00 CFS)
STOCKWATER	(8.00 CFS)

P/U: Lands within the South Side Bruneau Canal Co. 1200 Acres