

(8) Remarks _____

R. IIE

T.165

21 P.D.

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 affiant's knowledge.

Sworn to before me this 2nd day of December, 1980.

Jose B. Baniaga
(Claimant)
_____, 19 80.

Mary A. Hill
Notary Public
Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JF Stanton Date 12-2-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JF Date 12-05-80 claimant by: _____
\$20.00 fee received by Morgan Date 12-2-80 \$166.99
Published in Oregonian _____
Dates 12/18 & 25/80 _____

PROOF OF PUBLICATION

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

I, RODNEY A. HAWES, being first duly sworn, on oath that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper a week and every week for 2 consecutive weeks, the first publication being on the 18 day of December, 1980, the last publication being on the 25 day of December, 1980;

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.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 25 day

December, 1980.

Lana S. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

51 - 4027
BARRINAGA, JOSE
RT. 1, CASTLEFORD, ID 83321
Source: SPRING tributary to SINKS
Priority Date: 03/02/1908
Amount: 0.11 CFS
Diversion Point: SWNE Sec 21 T 16S R 11E, OWYHEE Co.
Use: STOCKWATER (0.07 CFS) from 01/01 to 12/31
DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: SWNE Sec 21 T 16S R 11E
Diversion Means: HEAD-BOX, PIPELINE & POND.

51 - 4028
BARRINAGA, JOSE
RT. 1, CASTLEFORD, ID 83321
Source: SPRING tributary to SINKS
Priority Date: 07/06/1922
Amount: 0.10 CFS
Diversion Point: SESE Sec 30 T 16S R 12E, OWYHEE Co.
Use: STOCKWATER (0.10 CFS) from 01/01 to 12/31
Place of Use: SESE Sec 30 T 16S R 12E
Diversion Means: POND.

55 - 4058
KERSHNER, VERNON H.
& / or BONNIE C.
BOX 38, JORDAN VALLEY, OR 97910
Source: FLINT CREEK tributary to JORDAN CREEK
Priority Date: 11/27/1901
Amount: 1.31 CFS
Diversion Point: SENW NWSW Sec 20 T 06S R 04W NWSE Sec 19 T 06S R 04W, OWYHEE Co.

Use: IRRIGATION (1.24 CFS) from 04/01 to 11/01
STOCKWATER (0.07 CFS) from 01/01 to 12/31
Place of Use: SWNW SENW NESW NWSW NESE NWSE Sec 19 T 06S R 04W SWNW SENW NESW NWSW Sec 20 T 06S R 04W FOR 62 ACRES
Diversion Means: DAMS, DITCHES & PIPELINES.
55 - 4059
DOUGAL, CHARLES G.

& / or FRANKIE C.
C/O CLIFFS IDAHO STAGE, JORDAN VALLEY, OR 97910
Source: CHERRY CREEK tributary to OWYHEE RIVER, NORTH FORK
Priority Date: 07/01/1910
Amount: 2.05 CFS 300.0 AC - FT
Diversion Point: NWNW Sec 24 T 09S R 06W, OWYHEE Co.
Use: IRRIGATION (1.98 CFS) from 04/15 to 10/15
STOCKWATER (0.07 CFS) from 01/01 to 12/31
DIVERSION TO STORAGE (1.98 CFS) from 01/01 to 12/31
IRRIGATION STORAGE (300.0 AC-FT) from 01/01 to 12/31
IRRIGATION FROM STORAGE (300.0 AC-FT) from 04/15 to 10/15
Place of Use: NWNW SWNW NWSW SWSW SESW Sec 24 T 09S R 06W NWNW Sec 25 T 09S R 06W NENE Sec 26 T 09S R 06W FOR 99 ACRES
Diversion Means: DITCH, RESERVOIR & SPRINKLER SYSTEM.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
Director
Published December 18 and 25, 1980, the Owyhee Nugget, Marsing, Owyhee County, ID

RECEIVED

DEC 26 1980

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 42-230(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 Jose Barinaga (Name of Claimant)
Route #1, Castleford, Id 83321 (Mailing Address) Telephone No. 537-6645 (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) March 2, 1908

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)
Unnamed Spring tributary to Sinks

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</u>	Use	<u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>0.07 cfs</u>	Use	<u>livestock</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.11 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 21 Twp. 16S Rge 11E 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. Covered concrete headbox, line to house & to small pond, line to yard for irrigation.

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	11E	21			X														

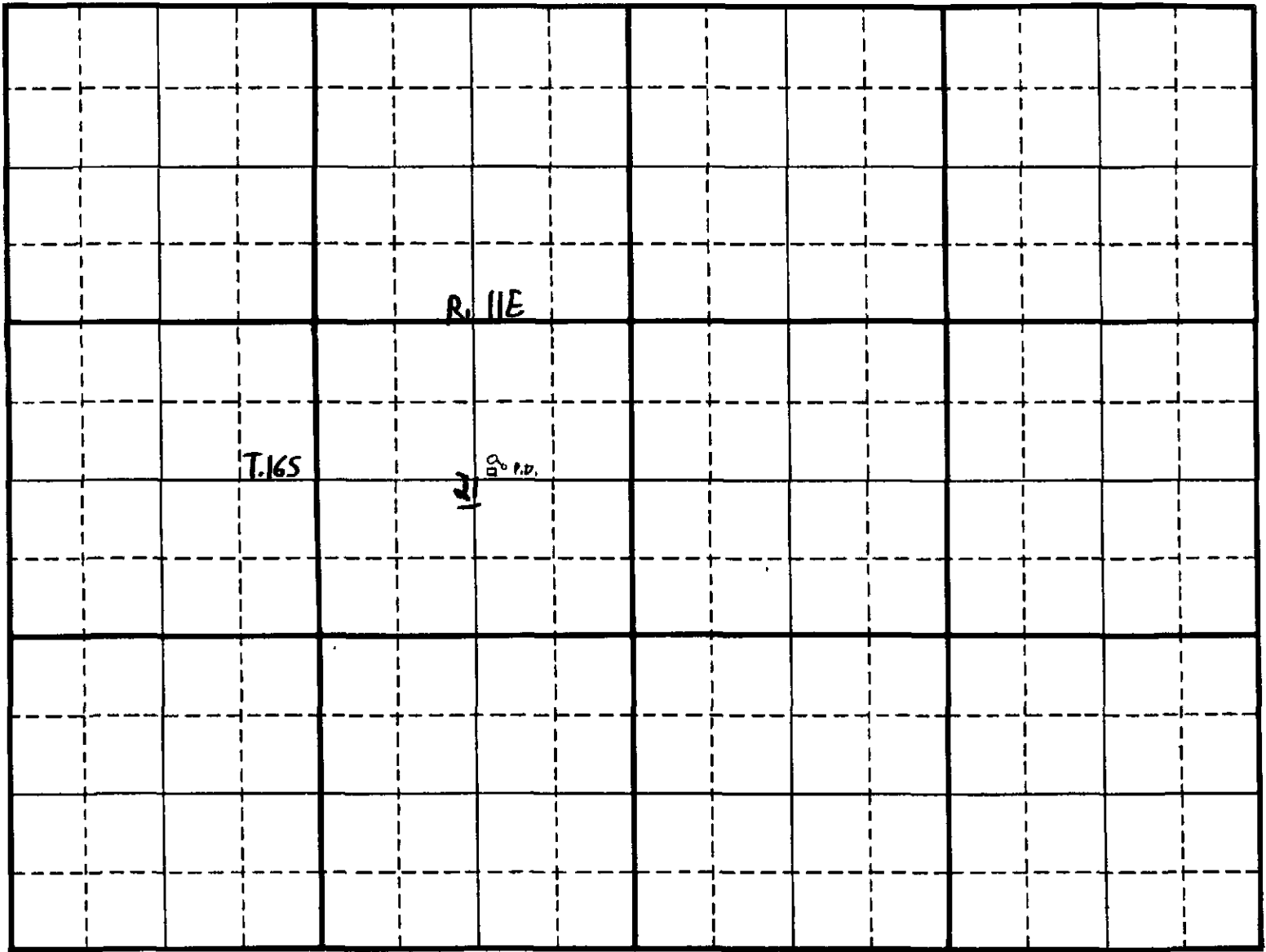
No. of acres

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

NOTE Include here the type and number of stock watered: 2000 sheep &/or 300 range cattle
If you are claiming water as a member of an organization, list name of organization

RECEIVED

(8) Remarks _____



Scale, 2 inches equal 1 mile.

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

State of Idaho)
County of Twin Falls) ss.

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 2nd day of December, 19 80.

Joe Banning
(Claimant)
Mary A. Hill
Notary Public
Residing at Twin Falls, Id

My commission expires Life

30.00
FOR DEPARTMENT USE ONLY
Received by J.F. Stanton Date 12-2-80 Exception filed by _____ Forwarded to _____ Date _____
Prelim. check by JS Date 12-05-80 claimant by _____
\$20.00 fee received by Mary A. Hill Date 12-2-80 #16699
Published in Owghoo Nugget
Dates 12/18 & 25/80 NH 1-7-81

United States,	:	Character of Instrument,
Grantor,	:	Patent.
to	:	Date of Instrument,
Andrew Rogerson,	:	March 2nd, 1908.
Grantee.	:	Date of Record,
	:	Oct. 19th, 1920, at 10:15 o'clock A.M.
	:	Book 7 of Patents, page 523,
	:	Owyhee County Records.

Homestead Certificate
Application 2104.

Issued pursuant to the Act of Congress approved 20th May, 1862,
"To secure Homesteads to Actual Settlers on the Public Domain," and
the acts supplemental thereto.

Executed by the President: Theodore Roosevelt.

By M. W. Young, Secretary.

H. W. Sanford, Recorder of the General Land Office.

Seal of the General Land Office affixed.

Recorded, Vol. 741, Page 272.

Description---The east half of the northwest quarter and the
west half of the northeast quarter of Section twenty-one in Township
sixteen south of Range eleven east of the Boise Meridian, Idaho,
containing one hundred and sixty acres.

Covenants---Subject to the usual water right and mineral re-
servations.

And there is reserved **ABSTRACTERS** hereby granted, a right
of way thereon for ditches or canals constructed by the authority
of the United States.

SILVER CITY, IDAHO

PROOF OF PUBLICATION

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

I, RODNEY A. HAWES, being first duly sworn, on oath that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper a week and every week for 2 consecutive weeks, the first publication being on the 18 day of December, 1980, the last publication being on the 25 day of December, 1980;

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

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 25 day of December, 1980.

James J. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

51 - 4027
BARRINAGA, JOSE
RT. 1, CASTLEFORD, ID 83321
Source: SPRING tributary to SINKS
Priority Date: 03/02/1900
Amount: 0.01 CFS
Diversion Point: SWNE Sec 21 T 16S R 11E, OWYHEE Co.
Use: STOCKWATER (0.07 CFS) from 01/01 to 12/31
DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: SWNE Sec 21 T 16S R 11E
Diversion Means: HEAD BOX, PIPELINE & POND.
51 - 4028

BARRINAGA, JOSE
RT. 1, CASTLEFORD, ID 83321
Source: SPRING tributary to SINKS
Priority Date: 07/06/1922
Amount: 0.10 CFS
Diversion Point: SESE Sec 30 T 16S R 12E, OWYHEE Co.
Use: STOCKWATER (0.10 CFS) from 01/01 to 12/31
Place of Use: SESE Sec 30 T 16S R 12E
Diversion Means: POND.
55 - 4058

KERSHNER, VERNON H. & / or BONNIE C.
BOX 38, JORDAN VALLEY, OR 97910
Source: FLINT CREEK tributary to JORDAN CREEK
Priority Date: 11/27/1901
Amount: 1.31 CFS
Diversion Point: SENW NWSW Sec 20 T 06S R 04W NWSE Sec 19 T 06S R 04W, OWYHEE Co.

Use: IRRIGATION (1.24 CFS) from 04/01 to 11/01
STOCKWATER (0.07 CFS) from 01/01 to 12/31
Place of Use: SWNW SENW NESW NWSW NESE NWSE Sec 19 T 06S R 04W SWNW SENW NESW NWSW Sec 20 T 06S R 04W FOR 62 ACRES
Diversion Means: DAMS, DITCHES & PIPELINES.
55 - 4059

DOUGAL, CHARLES G.

C/O CHERRY CREEK
JORDAN VALLEY, OR 97910
Source: CHERRY CREEK tributary to OWYHEE RIVER, NORTH FORK

Priority Date: 07/01/1910
Amount: 2.05 CFS
AC - FT
Diversion Point: NWNW Sec 24 T 09S R 06W, OWYHEE Co.
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DIVERSION TO STORAGE (1.98 CFS) from 01/01 to 12/31
IRRIGATION STORAGE (100.0 AC-FT) from 01/01 to 12/31
IRRIGATION FROM STORAGE (800.0 AC-FT) from 04/15 to 10/15

Place of Use: NWNW SWNW NWSW SESE Sec 24 T 09S R 06W NWNW Sec 25 T 09S R 06W NESE Sec 26 T 09S R 06W FOR 62 ACRES

Diversion Means: DITCH, RESERVOIR & SPRINKLER SYSTEM.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83769.

C. STEPHEN ALLRED, Director

Published December 18 and 25, 1980, the Owyhee Nugget, Marsing, Owyhee County, ID

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DEC 26 1980

Department of Water Resources
Western Regional Office

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Graver

Right Number 51-4027 Applicant Borinaga

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: not

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed. not

By DRS Date 1/5/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hunseler Date 1/7/81

RECEIVED
JAN 10 1981
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

DECEMBER 12, 1980

Owyhee 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JANUARY 5, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 12/18 & 12/25/80.

RECEIVED

BARINAGA, JOSE

RT. 1, CASTLEFORD, ID 83321

Source: SPRING tributary to SINKS

Priority Date: 03/02/1908

Amount: 0.11 CFS

Diversion Point: SWNE Sec 21 T 16S R 11E, OWYHEE Co.

Use: STOCKWATER	(0.07 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SWNE Sec 21 T 16S R 11E

Diversion Means: HEADBOX, PIPELINE & POND.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JANUARY 7, 1981

JOSE BARINAGA
RT. 1
CASTLEFORD

ID 83321

RE: Claim No. 51-4027

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

MICROFILMED