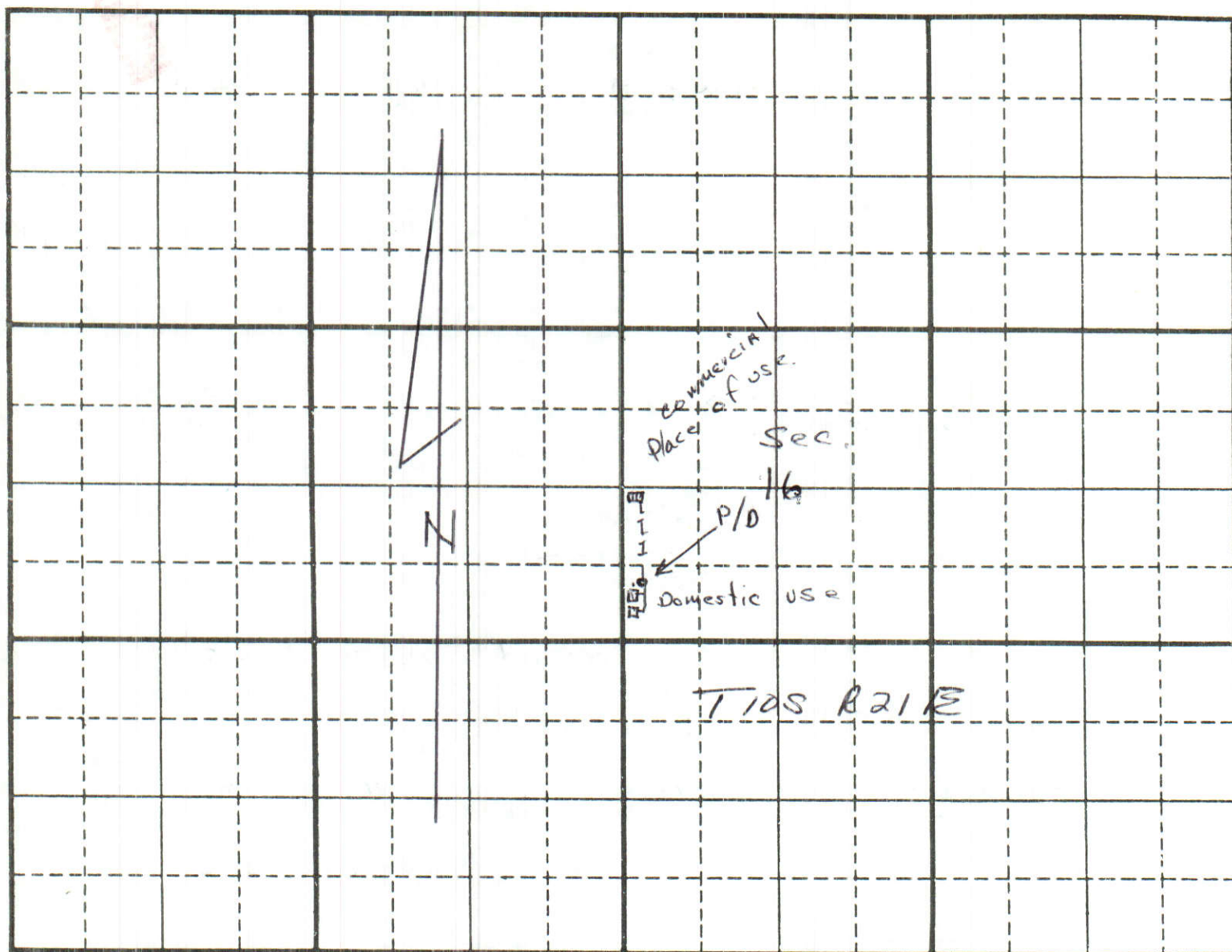


(8) Remarks _____



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 Lincoln) 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.

Harry L. Kincaid
(Claimant)

Sworn to before me this 7 day of April, 1983.

Mary A. Newby
Notary Public
Residing at Shoshone, id P3352

My commission expires life

FOR DEPARTMENT USE ONLY

Received by gf Date 4/7/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ma Date _____
\$30.00 fee received by ma Date 4/7/83 #26176
Published in North side news
Dates 5/5 + 5/12/83

AFFIDAVIT PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 5th day of May
1983, and the date of the last publication was on the 12th
day of May, 1983.

Subscribed and sworn to before me this 12th

day of May, 1983.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 25
Number of Insertions 2
Lines tabular at 4c / Pica
25 Lines straight at 9.75 3c / Pica
25 Subsequent lines at 6.50 2c / Pica
TOTAL COST 16.25

COPY OF NOTICE

(Paste Here)

Permit # 36-4186
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Kincaid
DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF CLAIM TO WATER RIGHTS

Notice is hereby given that the
following claim to water right has been
established by diversion and applica-
tion to beneficial use:

36-4186

KINCAID, GARY &/or VIRGINIA,
RT. 2 BOX 95A, HAZELTON, ID 83335

Source: GROUNDWATER

Priority Date: 04/01/1958

Diversion Point: SWSW Sec 16 T
10S R 21E

Use: COMMERCIAL (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSW Sec 16 T 10S R 21E
NWSW Sec 16 T 10S R 21E

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

A. Kenneth Dunn
Director
5-5-2tc

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line. straight	3c / Pica
7-8 pt. per line. tabular	4c / Pica
7-8 pt. per line successive insertions	2c / Pica

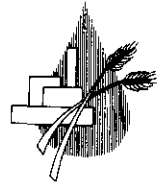
RECEIVED
N^o 1365

MAY 13 1983

Department of Water Resources
Southern District Office

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 GARY KINCAID and/or Virginia Kincaid
(Name of Claimant)
Rte 2, Bx 95A Hazelton, IDA Telephone No. _____
(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) April 1, 1958

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)
Groundwater tributary to _____

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		To	
				(Mo., Day)	(Mo., Day)		
<u>0.04 cfs</u>		<u>Domestic</u>		<u>JAN 1</u>		<u>Dec 31</u>	
<u>0.02 cfs</u>		<u>Commercial</u>		<u>Nov -1</u>		<u>MAY 1</u>	
Quantity _____		Use _____		Period of Use From _____		To _____	
Quantity _____		Use _____		Period of Use From _____		To _____	
Quantity _____		Use _____		Period of Use From _____		To _____	

(4) 0.06 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 16 Twp. 10S Rge. 21E B.M., County of Jerome
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.
well, motor, pump.

(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.

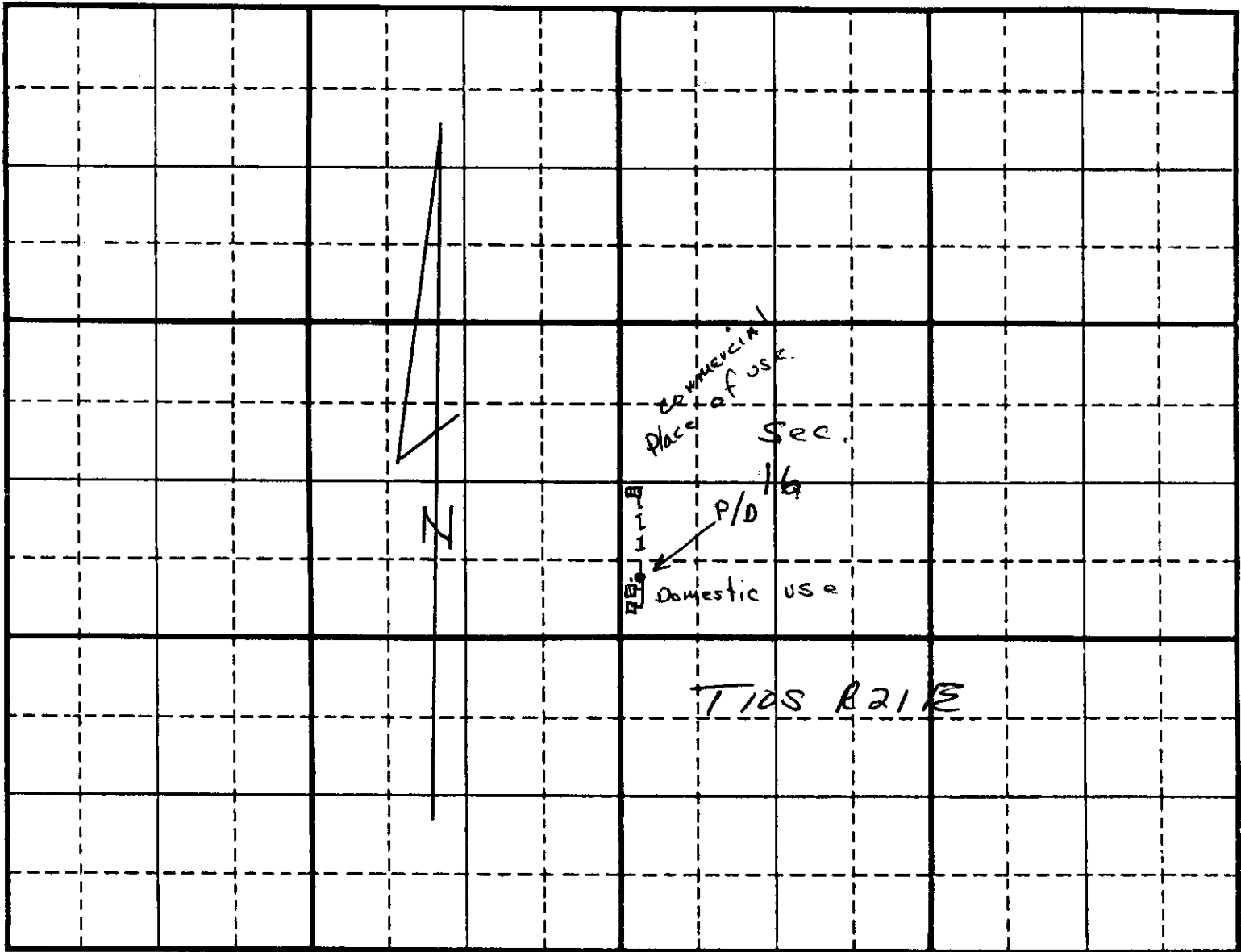
T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	21E	16											X	Domestic					
		16										X	Commercial						

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
potatoe cellar (1) (2) Homes

NOTE: Include here the type and number of stock watered: _____
If you are claiming water as a member of an organization, list name of organization: _____

(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 Lewis & Clark) 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.

Hayden Kincaid
(Claimant)

Sworn to before me this 7 day of April, 1983.

Mary A. Newby
Notary Public
Residing at Shoshone, id P3352

Commission expires life

FOR DEPARTMENT USE ONLY

Received by gj Date 4/7/83 Exception filed by: _____ Date _____
Prelim. check by gj Date 4/7/83 # 26176
\$30.00 fee received by mary a newby Date 4/7/83
Published in montana state news
Dates 5/5 & 5/12/83

AFFIDAVIT PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 5th day of May 1983, and the date of the last publication was on the 12th day of May, 1983.

P. L. Langdon
Subscribed and sworn to before me this 12th day of May, 1983.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 25
Numer of Insertions 2

Lines tabular at 25 4¢ / Pica
Lines straight at 9.75 3¢ / Pica
Subsequent lines at 25 6.50 2¢ / Pica
TOTAL COST 16.25

COPY OF NOTICE

(Paste Here)

Permit # 36-4186
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Kincaid
DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF CLAIM
Notice is hereby given that the following claim has been established by diversion and application to beneficial use:

KINCAID, GARY S/or VIRGINIA
RT. 2 BOX 95A, HAZELTON, ID 83335
Source: GROUNDWATER
Priority Date: 04/01/1958
Diversion Point: SWSW Sec 16 T 108 R 21E

Use: COMMERCIAL (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWSW Sec 16 T 108 R 21E
NWSW Sec 16 T 108 R 21E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

915W11917127 A. Kincaid
Director
5-5-83

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

RECEIVED
N^o 1365

MAY 13 1983

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

23
MAY 15 1983

GARY KINCAID
VIRGINIA KINCAID
RT. 2 BOX 95A
HAZELTON

ID 83335

RE: Claim No. 36-4186

Dear Claimant:

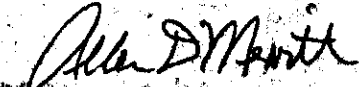
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure



STATE OF IDAH
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

APRIL 26, 1983

North Side News
P. O. Box 468
Jerome, Idaho 83338

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 MAY 23, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

MACROFILMED

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:

36-4186-

KINCAID, GARY &/or VIRGINIA

RT. 2 BOX 95A, HAZELTON, ID 83335

Source: GROUNDWATER

Priority Date: 04/01/1958

Diversion Pt: SWSW Sec 16 T 10S R 21E

Use: COMMERCIAL (0.02 CFS)
DOMESTIC (0.04 CFS)

In: SWSW Sec 16 T 10S R 21E NWSW Sec 16 T 10S R 21E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 5/5 & 5/12/83.

MICROFILMED

Claims to water rights

NOTICE OF CLAIM TO WATER RIGHTS

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

36-4186

KINCAID, GARY &/or VIRGINIA,
RT. 2 BOX 95A, HAZELTON, ID 83335

Source: GROUNDWATER

Priority Date: 04/01/1958

Diversion Point: SWSW Sec 16 T
10S R 21E

Use: COMMERCIAL (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSW Sec 16 T 10S R 21E
NWSW Sec 16 T 10S R 21E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. Kenneth Dunn
Director
5-5-2tc

*He
may*

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

Right Number 36-4186 Applicant KINCAID, Gary &/or Virginia

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.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADM Date 5/23/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By LC Date 5/31/83

MICROFILMED

RECEIVED
MAY 31 1983
Department of Water Resources