

AFFIDAVIT of 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 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 14th day of April,
19 83, and the date of the last publication was on the 21st
day of April, 19 83.

Subscribed and sworn to before me this 22nd
day of April, 19 83.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 23
Number of Insertions 2
Lines tabular at 4c / Pica
23 Lines straight at 8.97 3c / Pica
23 Subsequent lines at 5.98 2c / Pica
TOTAL COST 14.95

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COPY OF NOTICE

(Paste Here)

Permit #36-4183
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Montgomery
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:

36-4183

MONTGOMERY FARMS, INC., RT.
1, EDEN, IDAHO 83325
Source: GROUNDWATER
Priority Date: 01/01/1945
Diversion Point: SESE Sec 05 T 10S
R 19E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SESE Sec 05 T 10S R 19E

Any exception to any claim or 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
4-14-2tc

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

NOV 21 1983

Department of Water Resources
Southeast 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 Montgomery Farms, Inc.
(Name of Claimant)
Rt. 1 Eden, Idaho Telephone No. 825-5143
(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) Jan. 1, 1945

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:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.06</u>	Use	<u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.02</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	_____	Use	_____	Period of Use From _____	To _____

(4) 0.08 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 5 Twp. 10S Rge. 19E 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. 6 inch well, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	19E	5																X	

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic for 2 homes
Stockwater for 100 beef cattle

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: _____

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(8) Remarks _____

A hand-drawn map on a grid. The grid is composed of solid lines forming a 10x10 grid of squares, with dashed lines forming a 20x20 grid of smaller squares. The map shows a road layout. A horizontal road is labeled 'T10 S' in the second row from the top. A vertical road is labeled 'R19 E' in the ninth column from the left. A small square is drawn at the intersection of the horizontal road and the vertical road, labeled 'well & place of use'.

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.

Montgomery Farms, Inc.

Montgomery Farms, Inc.
by Donald C. Montgomery Sec.
(Claimant)

Sworn to before me this 4th day of March, 1983

Notary Public

Residing at

My commission expires

FOR DEPARTMENT USE ONLY

Received by ADM

Date 3/4/83

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date 3-14-85

~~\$20.00~~ fee received by ADM

Date 3/4/83

#26053

Publisher South Side

Dates 1/4/83

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

E. 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 14th day of April, 1983, and the date of the last publication was on the 21st day of April, 1983.

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(SEAL)

Darla Bratt
NOTARY PUBLIC

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Permit #36-4183
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Montgomery
DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

Notice is hereby given that the following claim to water right has been established by decree and application to the court.

MONTGOMERY, et al., RT.
1, EDEN, et al., RT.

Source: GROUNDWATER
Priority Date: 01/01/1945
Diversion Point: SESE Sec 05 T 10S R 19E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.05 CFS)

In: SESE Sec 05 T 10S R 19E
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
4-14-2tc

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

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NOV 21 1985

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

MAY 6, 1983

MONTGOMERY FARMS, INC.
RT. 1
EDEN

ID 83325

RE: Claim No. 36-4183

Dear Claimant:

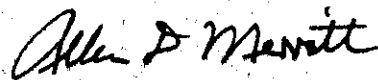
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

UNRECORDED

NOTICE OF CLAIMS TO WATER RIGHT

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

36-4183-

MONTGOMERY FARMS, INC.

RT. 1, EDEN, ID 83325

Source: GROUNDWATER

Priority Date: 01/01/1945

Diversion Pt: SESE Sec 05 T 10S R 19E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)

In: SESE Sec 05 T 10S R 19E

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A. KENNETH DUNN

Director

Published 4/14 & 4/21/83.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 6, 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 2, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J F Stanton

Right Number 36-4183 Applicant MONTGOMERY FARMS, INC.

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 5/2/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By HC Date 5/19/83

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MAY 19 1983
Department of Water Resources