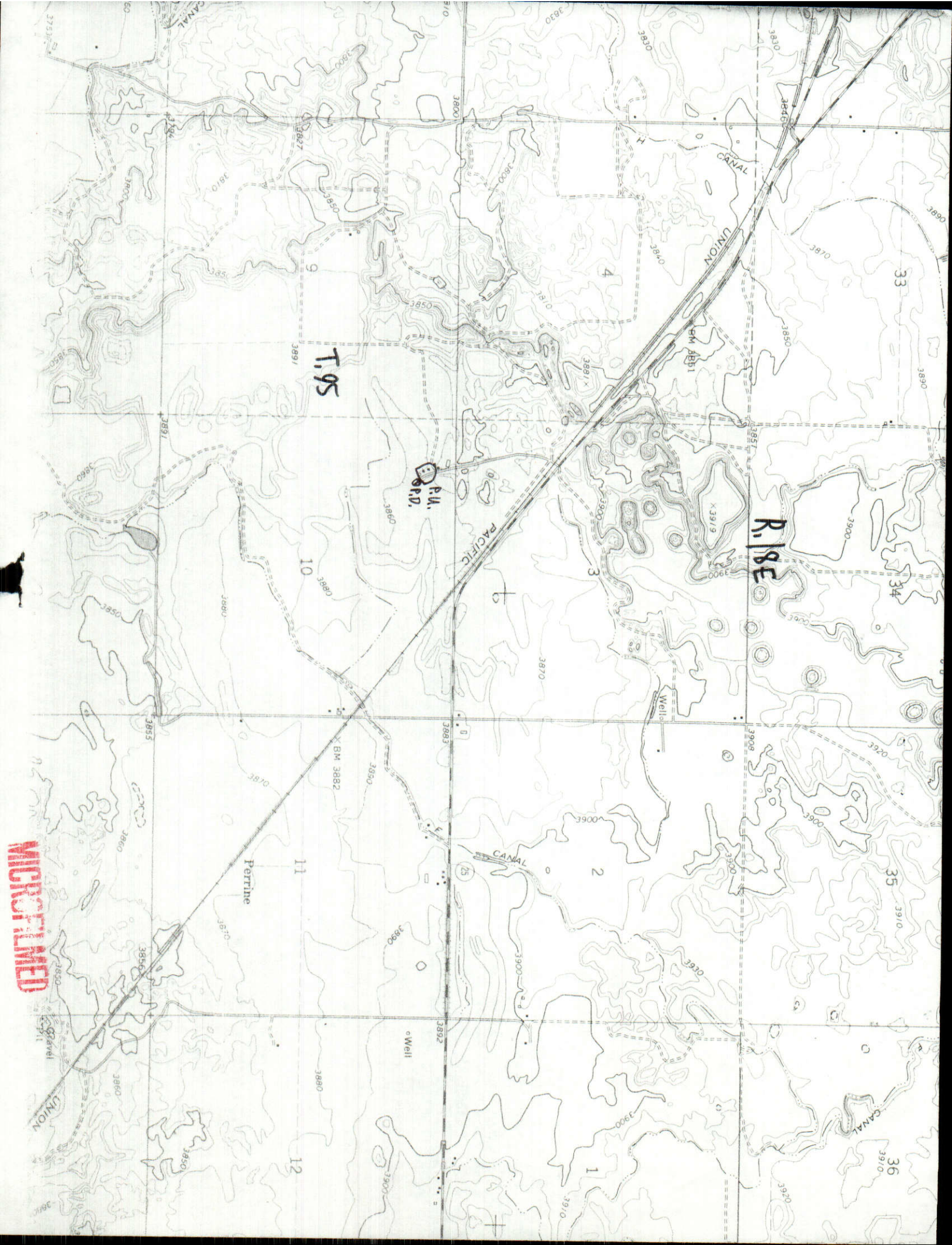


UNCLASSIFIED



AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

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 22nd day of October, 1981, and the date of the last publication was on the 29th day of October, 1981.

L. L. Langdon

Subscribed and sworn to before me this 2nd day of November, 1981.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS Jerome, Idaho COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 32
Number of Insertions 2
Lines tabular at 32 4¢ / Pica
Lines straight at 12.48 3¢ / Pica
Subsequent lines at 8.32 2¢ / Pica
TOTAL COST 20.80

COPY OF NOTICE

(Paste Here)

Permit #36-4126
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Maxwell
DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF CLAIMS TO WATER RIGHTS

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

36-4126

JENNIE G. MAXWELL EST., RT. 1, KIMBERLY, ID 83341

Source: GROUNDWATER

Priority Date: 01/01/1910

Amount: 0.09 CFS

Diversion Point: NWNW Sec 10 T 09S R 18E, JEROME Co.

Use: STOCKWATER (0.03 CFS) from 01/01 to 12/31

DOMESTIC (0.06 CFS) from 01/01 to 12/31

Place of Use: NWNW Sec 10 T 09S R 18E

Diversion Means: WELL & PUMP

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

10-22-2tc

7-6 pt. per line, tabular 4¢ / Pica
7-8 pt. per line successive insertions 2¢ / Pica

RECEIVED
NOV 3 1981
No 473

Department of Water Resources
Southern District Office

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3575

NOVEMBER 13, 1991

JENNIE G. MAXWELL EST.

RT. 1

KIMBERLY

ID 83341

RE: Claim No. 36-4126

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,



LOREN O. HOLMES

Southern Region Supervisor

Enclosure

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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 Jennie G. Maxwell Estate
(Name of Claimant)
c/o Bertha E. Maxwell, Trustee, Route #1, Kimberly, ID 83341 Telephone No. 733-5388
(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) 1910

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 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>0.03 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) 0.09 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 10 Twp. 9S Rge. 18E 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 & 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	18E	10						X											

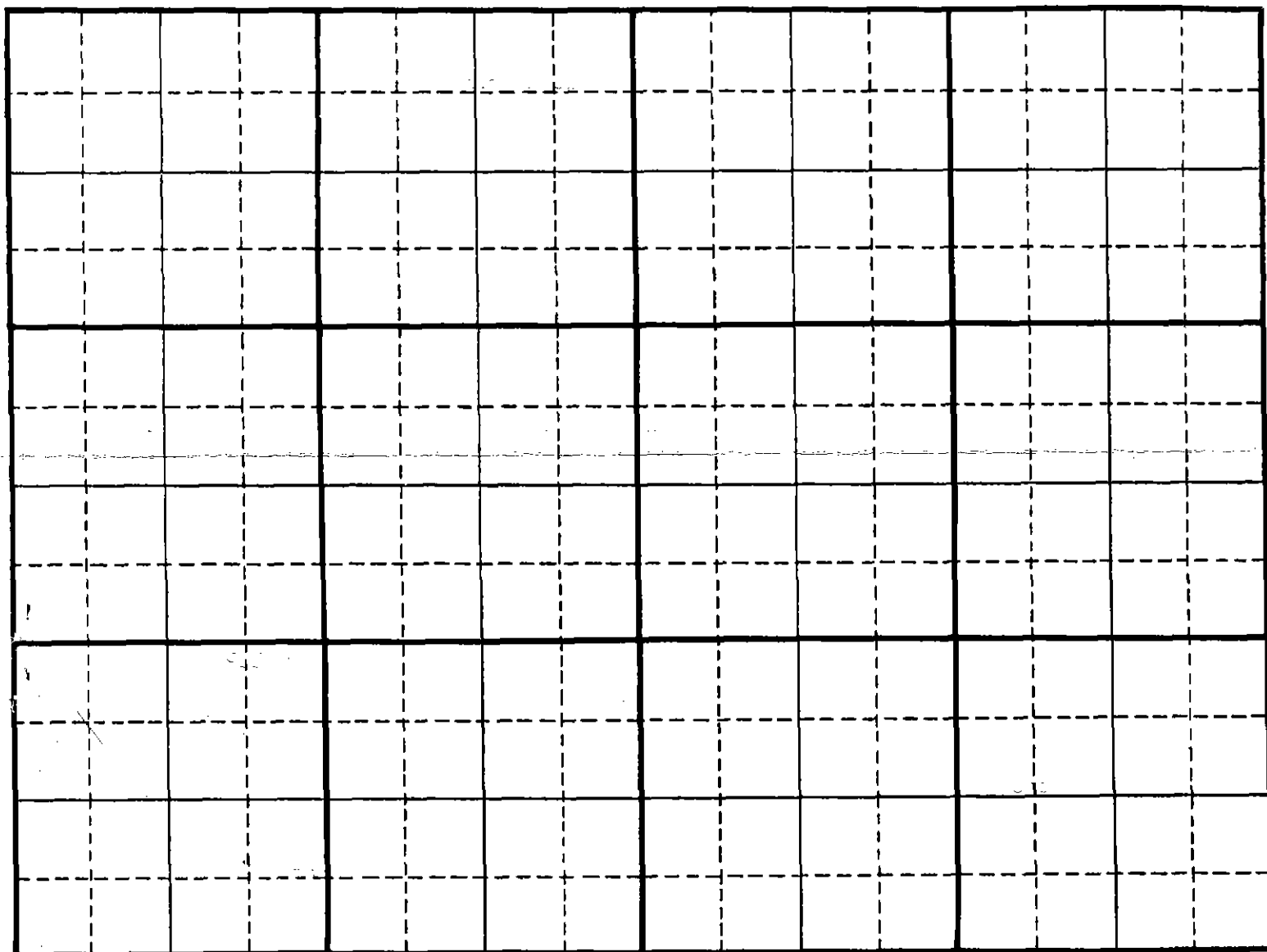
No. of acres _____

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

NOTE: Include here the type and number of stock watered: up to 60 beef cattle &/or dairy cattle

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

(8) Remarks Property was acquired by present owners in 1933. The well and both homes
were there at that time, and were probably developed when the farm was taken
out of sagebrush (probably about 1910).



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.

Bertha E. Maxwell, Trustee
(Claimant)

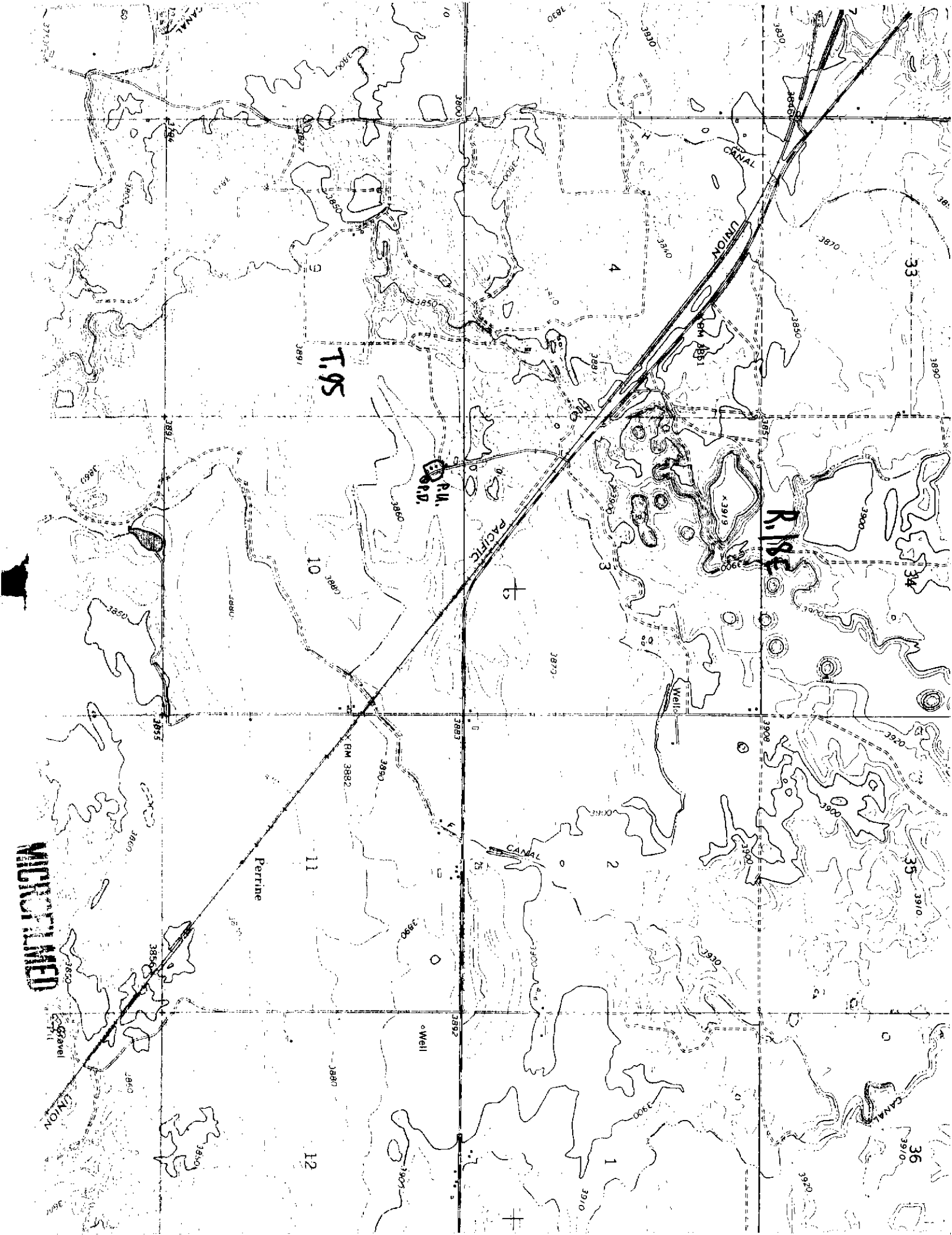
Sworn to before me this 2nd day of October, 1982.

Mary E. Rice
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. G. Stanton Date 10-2-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Don Jule Date 10-15-1981
\$20.00 fee received by me Date 10-14-81 # 20606
Published in North Star News
Dates 10/22 + 10/29/81



MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome, } SS.

E. L. LANGDON
ASST. PUBLISHER

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Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

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Permit #36-4126
TITLE OF NOTICE

PLAINTIFF ATTORNEY

Maxwell
DEFENDANT

PLAINTIFF

Dept of Water
BY: TO

7-8 pt. per line tabular	4¢ / Pica
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RECEIVED
NOV 2 473 1981
Department of Water Resources
Southern District Office

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A. KENNETH DUNN

Director

Published 10/22 & 10/29/81.

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RECEIVED
NOV 19 1981

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 15, 1981

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 billings to this office before NOVEMBER 9, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *[Signature]*

Right Number 36-4126

Applicant Jennie G. Maxwell, Estate

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

11/13/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *[Signature]*

Date

11/20/81

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