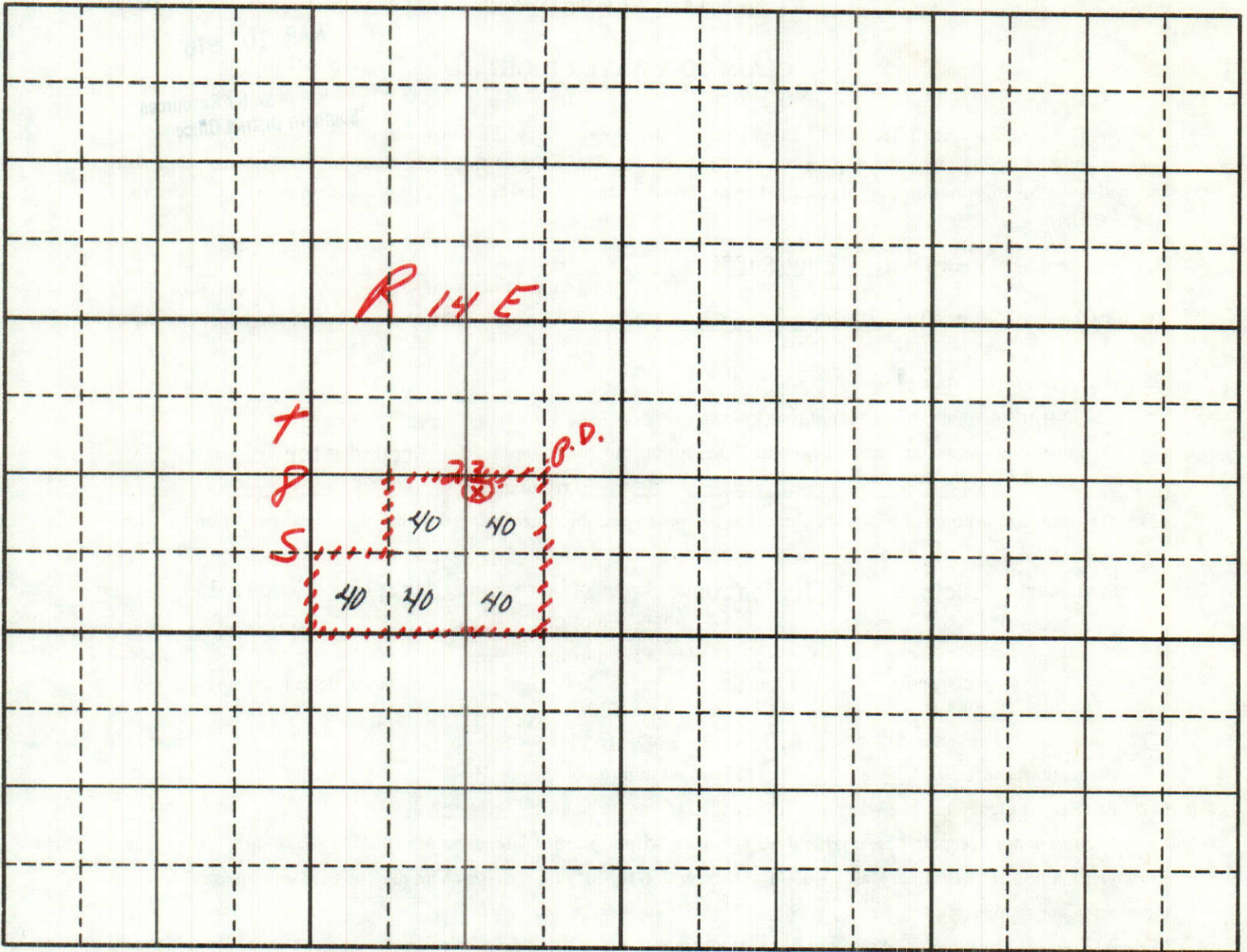


(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 10th day of March, 19 76.

Tony Buffing
(Claimant)

Carol E. Clough
Notary Public
Residing at Twin Falls, Idaho

My commission expires 8-19-79

For Department Use Only

Received by CC Date 3/10/76
Prelim. check by LS Date 3/11/76
\$10.00 fee received by CC Date 3/10/76
Approved for publication by LS
Published in Gooding County Leader
Dates 3-18 & 3-25-76

Exception filed by: _____
Forwarded to claimant by: _____
Date _____

#2041

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS

Kim R. Compton being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
of Gooding, 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 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 18 day of March

19 76, and the date of the last publication was on the 25

day of March, 19 76

Kim R. Compton
Subscribed and sworn to before me this 27

day of March, 19 76.
(SEAL)

Gordon H. H. H.
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32 32

Number of Insertions 2 2

Lines tabular at 315c

32 Lines straight at 32 21c 6.72

32 Subsequent lines at 32 15c 4.86

TOTAL COST 11.52

COPY OF NOTICE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4048

Notice is hereby given that
Tony Ruffing, Route #1, Wen-
dell, Idaho has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 4.0 cubic feet per
second of water from Ground-
water with point of diversion in
the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S,
Rge. 14E, B.M. Gooding County.

The water is claimed to be
used from March 15 - No-
vember 15 with a priority of
March 1955 the place of use is
within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S, Rge.
14E, B.M.

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

/S/ R. KEITH HIGGINSON
Director

Pub: 3-18, 25

RECEIVED

APR 2 1976

Department of Water Resources
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

13319

No 793

O.K.C.
4/5/76

NOT RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

RECEIVED

MAR 10 1976

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Tony Ruffing (name of claimant)
of Route #1, Wendell, Idaho (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater
tributary to ,

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

Amount <u>4.0cfs</u>	Use <u>Irrigation</u>	Period of Use: From <u>Mar. 15</u> To <u>Nov. 15</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: 4.0 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) March 1955

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 23 Twp. 8S Rge. 14E B.M. County of Gooding
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. well, pump, sprinkler system.

(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.

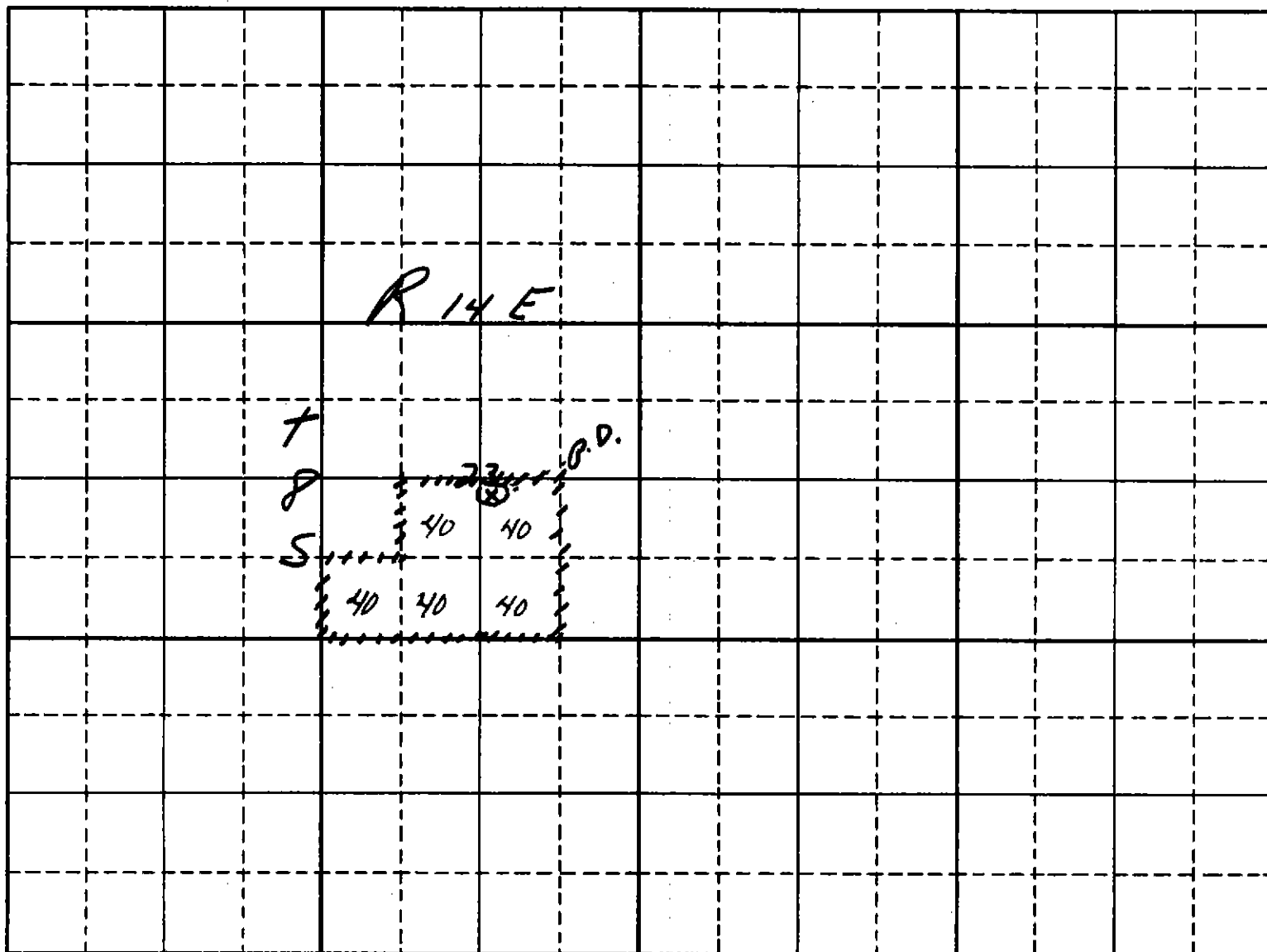
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	14E	23									40		40	40		40	40		200

Total No. of acres 200

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

(7) 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 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 affiants knowledge.

Sworn to before me this 10th day of March, 19 76.

Tony Buffing
(Claimant)
Carol E. Clough
Notary Public
Residing at Twin Falls, Idaho

My commission expires 8-19-79

For Department Use Only

Received by CC Date 3/10/76
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\$10.00 fee received by CC Date 3/10/76
Approved for publication by DS
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Dates 3-18 & 3-25-76

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

42041

AFFIDAVIT OF PUBLICATION

State of Idaho,
County of Gooding

SS

Kim R. Compton being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
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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

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of said advertisement was on the 18 day of March

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Subscribed and sworn to before me this 27

day of March, 19 76.

(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

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Number of Insertions 2 2

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32 Lines straight at 32 21c

32 Subsequent lines at 32 15c

TOTAL COST 11.52

COPY OF NOTICE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4048

Notice is hereby given that
Tony Ruffing, Route #1, Wen-
dell, Idaho has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 4.0 cubic feet per
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water with point of diversion in
the NW 1/4 SE 1/4, Sec. 23, Twp. 8S,
Rge. 14E, B.M. Gooding County.

The water is claimed to be
used from March 15 - No-
vember 15 with a priority of
March 1955 the place of use is
within the E 1/2 SW 1/4, SW 1/4 SW 1/4,
W 1/2 SE 1/4, Sec. 23, Twp. 8S, Rge.
14E, B.M.

Any exception to this claim
of water right may be filed with
the Idaho Department of Water
Resources, 1041 Blue Lakes
Bldg. North, Twin Falls, Idaho,
83401.

/S/ R. KEITH HIGGINSON
Director

Pub: 3-18, 25

RECEIVED

APR 2 1976

Department of Water Resources
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

13319

No 793

O.K.C.
4/15/76



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 7, 1996

PHILIP E. BATT
GOVERNOR

Tony & Glenna Ruffing
3393 S 1500 E
Wendell, ID 83355-3242

KARL J. DREHER
DIRECTOR

Dear Mr. and Mrs. Ruffing:

I have reviewed your letter of November 3 with Gary Spackman. I have also reviewed your water right for the ground water well in question, which you correctly identified as right 36-04048.

Your water right was originally filed as a beneficial use claim and thus had not been verified by the Department prior to the Snake River Basin Adjudication (SRBA). As a result, the claim never had any Department conditions which would have clearly identified your well and right as supplemental. The right as recommended in the SRBA does include a remark stating that the right is used in combination with water from the North Side Canal Co.

If North Side Canal water was used on 100 of your total 200 (approximate) acres at the time the well was drilled, then we believe there is a presumption that your well and ground water right 36-04048 is supplemental to 100 acres (or whatever number of acres you applied the canal water to prior to developing the ground water). Our ground water measurement reports and field notes indicate that a canal lateral and pump is still in place and tied into the mainline off of your well.

We do not believe that in your case, the Department can prohibit you from selling your canal shares. However, future management of ground water in the Snake Plain Aquifer may mean that you will have to use your 100 canal shares on a portion of your farm before applying ground water to that same portion. If this management scenario or requirement is implemented and you have sold your shares, then you may be prohibited from using ground water on the acreage or portion of your farm which was once irrigated by the canal shares. For this reason, you should carefully consider the sale of your canal shares and realize that such a sale may not be in your best future interests.

Sincerely,

Tim Luke

cc: Gary Spackman
Allen Merrit, Southern Region

Tony F. Ruffing
3393 S. 1500 E.
Wendell, ID 83355-3242

Wendell, Idaho
Nov. 3-1996.
208-536-2409

Dept. of Water Resources.

Gary Spackman -

Sir: - Tony & I (Glenna)
Ruffing (36-04048) have
been thinking about selling
our canal water - We have
100 shares - but want to
only sell 90 shares -

We are not sure as to how
our irrigation well is classified.
We wanted like a classification
- is it a regular well or
a sub well - Please
classify for us - We
do not want to get
into trouble. We have
200 acres of land - I really
do not know what information
you need. The irrigation
well can handle all the
irrigation - very good. &
we do not have enough
canal water.

Thank you for your
time - Hope to hear from
you soon -
"Have a good day" ☺

Tony & Glenna Ruffing
3393-S-1500 E - Wendell, Idaho 83355

Use Typewriter
or
Ball Point Pen

1. DRILLING PERMIT NO. 36 - 95 - S - 0050 - 000
Other IDWR No. 36-04048

2. OWNER.
Name Tony/Glenna Ruffing
Address 1544-B 3400 S
City Wendell State ID Zip 83355

Sketch map location must agree with written location.



Twp. 8 North ☐ or South ☒
 Rge. 14 East ☒ or West ☐
 Sec. 23 $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Gov't Lot _____ County Gooding ^{10 acres} ^{40 acres} ^{160 acres}

Address of Well Site _____
City _____

Lt. _____ Blk. _____ Sub. Name _____

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

☐ New Well ☐ Modify or Repair ☒ Replacement ☐ Abandonment

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18 1/2	12 S	Poured
Overbore to				
seal depth				

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? Y ☐ N ☒ How? _____

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
16"	+1½	18½	.250	Steel	☒	☐	☐	☐
12"	10	11½	.250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

☒ Perforations Method Factory

☐ Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
74	110	1/2x3	16	12"	Steel	☒	☐
						☐	☐
						☐	☐

_____ 88 _____ ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: _____

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

[illegible]

Completed Depth 128 ft. (Measurable)
Date: Started 3-31-95 Completed 4-7-95

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Elsing Drilling Firm No. 31

Firm Official: Donald E. King Date 4-11-95

Supervisor or Operator Lloyd H. Hays Date 4-11-95

(Sign Once if Firm Official & Operator)

State of Idaho
Department of Water Resources

APPLICATION FOR
REPAIR () OR ABANDONMENT (X) OF A WELL

RECEIVED
APR 21 1995

Department of Water Resources

1. LEGAL CONTACT (Owner or Operator)

Date: 03/27/95
Name: RUFFING, TONY / E/ENNA Phone Number 536-2409
Mailing Address: 1544-BE 3400 S
City: WENDELL State ID Zip Code 83355

2. WELL LOCATION

Township 08S, Range 14E, Section 23, 1/4 NW 1/4 SE 1/4
Gov't Lot No. _____ County GOODING
Street Address of Well Site: SAME AS ABOVE City WENDELL
Lot _____, Block _____, Subdivision Name _____

3. TYPE OF WELL

() DOMESTIC: Water used for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC:

☒ Irrigation

☐ Municipal

☐ Industrial

☐ Stock

☐ Test

☐ Other _____

(Over 1,000 head)

() INJECTION

() MONITORING

RECEIVED (Describe)

APR 19 1995

Department of Water Resources
Southern Region

4. WELL SPECIFICATIONS

Previous Drilling Permit Number N/A
Water Right Number 36-04098
Well Log on File? () Yes ☒ No
Casing Size: 10" Material: STEEL Temperature: 55°
Casing Height Above Ground: 12"
Flowing Artesian? () Yes ☒ No
Static Water Level: 60' (Measured) Well Depth: 98' (Measured)
Remarks: _____

5. CONDITION OF WELL, REPAIRS REQUIRED

WELL IS CAVED IN, BOB THEN STATED
THAT DAMAGE WAS EFFECT CAUSED AND
BOWLES ARE STILL IN HOLE

6. PROPOSED METHODS OF REPAIR OR ABANDONMENT

(This Application must be approved prior to commencement of operations)

GRANULATED BENTONITE / AND CEMENT
GROUT.

7. NAME OF DRILLER OR INDIVIDUAL PERFORMING THE REPAIR OR ABANDONMENT

8. DATE OF PROPOSED REPAIR OR ABANDONMENT

9. APPLICANT'S SIGNATURE *X Tony Ruffing* DATE: *X 4-19-95*

Title *X OWNER*

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for repair/abandonment is _____ Date _____

This approval does not constitute an endorsement of the proper abandonment of this well, without an attached document prepared by an Idaho Licensed Water Well Driller, Professional Geologist or Engineer who witnessed the procedure. This approval is subject to the following conditions of approval. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. Pursuant to Section 42-238(4), Idaho Code. All repairs and/or abandonment must meet the requirements of the Department's Rules and Regulations for Well Construction Standards.
2. Abandonment or repair of this well may require the services of a well driller licensed in the State of Idaho.

Signature of Authorized Department Representative

Title

Ident. No.
Water Right No.

36-95-S-0050-000
36-04048

200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: TONY / GLENNA RUFFING O 208-536-2409
Address: 1544-B 3400-S
WENDELL ID 83355

2. Proposed Well Location: Township 08S, Range 14E, Sec. 23, NWSE
GOODING County

Street Address of Well Site: 1544-B 3400-S

ID

RECEIVED

MAR 29 1995

3. Proposed Use of Well: Non-Domestic Irrigation

Department of Water Resources

4. Well Construction Information:

- A. Replace
 - B. Proposed Surface Diameter 16 In. Proposed Maximum Depth 150 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 4/15/1995

6. Anticipated Well Driller: (No. 9999)

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature *Tony Ruffing* Date 13-28-95

Title Owner
(Owner, Firm Representative, Other)

Fee \$ 200.00 Received by det No. 5017923 Date 03-28-95

(Continued)

Ident. No.

36-95-S-0050-000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: **3/28/1995**

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.



Signature of Authorized Dept. Representative

SOUTHERN REGION MANAGER
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

April 6, 1976

Re: Claim To A Water Right No. 36-4048 - Tony Ruffing

Mr. Tony Ruffing
Route #1
Wendell, Id. 83355

Dear Mr. Ruffing:

The Department of Water Resources has completed the processing of your Claim To A Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and reserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:cc

Enclosure

March 11, 1976

Re: Claim To A Water Right No. 36-4048 - Tony Ruffing

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:cc

Bill submitted: 4-5-76 cc

LEGAL NOTICE — le

NOTICE OF CLAIM TO
A WATER RIGHT

NO. 36-4048

Notice is hereby given that Tony Ruffing, Route #1, Wendell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 4.0 cubic feet per second of water from Groundwater with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S, Rge. 14E, B.M. Gooding County.

The water is claimed to be used from March 15 -- November 15 with a priority of March 1955 the place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S, Rge. 14E, B.M.

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

/S/ R. KEITH HIGGINSON
Director

Pub: 3-18, 25

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4048

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Route #1, Wendell, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 4.0 cubic feet per second ~~XXXXXXXXXXXX~~
of water from Groundwater

with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S, Rge. 14E, B.M.
Gooding County

The water is claimed to be used from March 15 - November 15

with a priority of March 1955;

the place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8S, Rge. 14E,
B.M.

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

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader
on 3-18 and 3-25-76