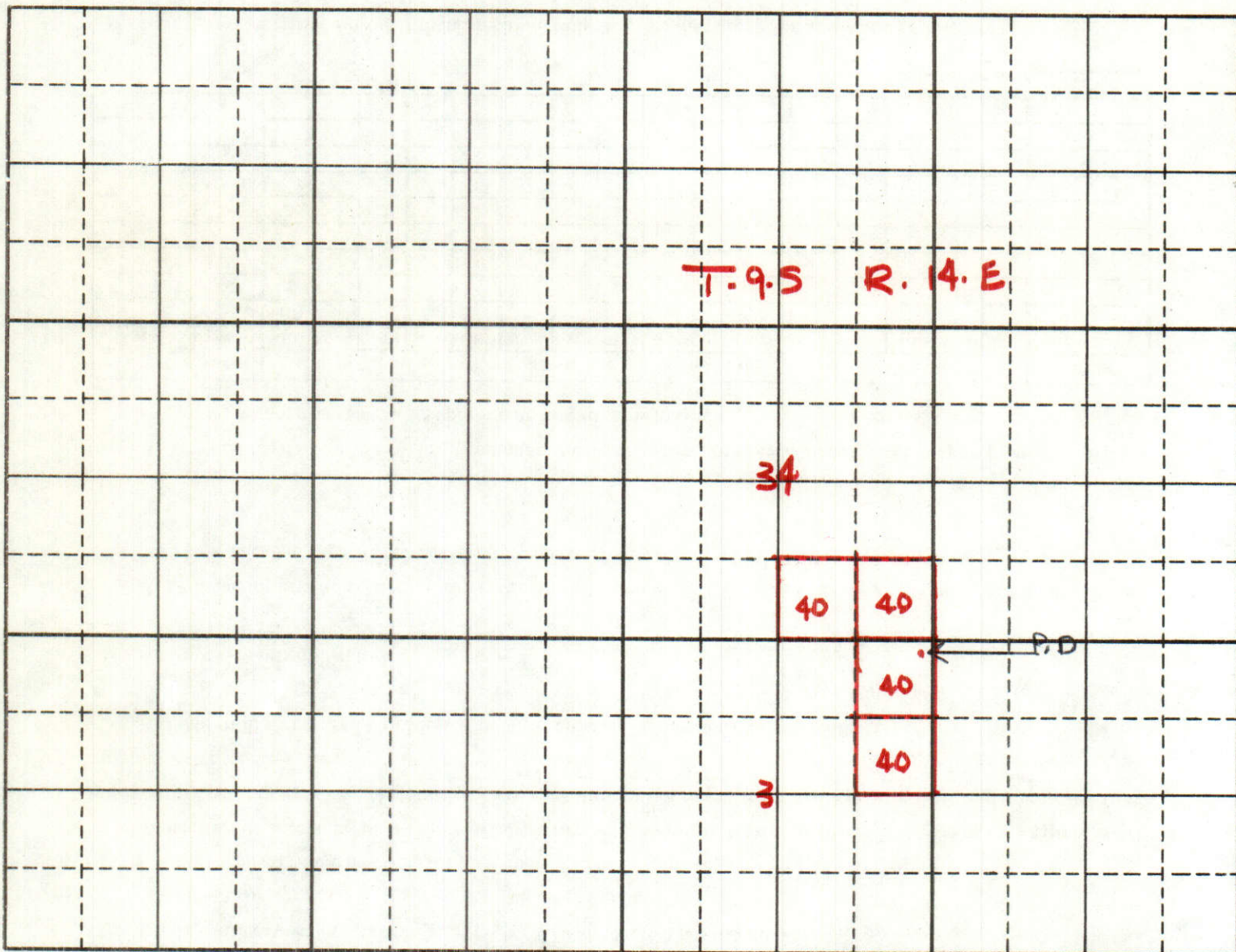


(8) Remarks



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 Latah

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

11th day of

February

(Claimant)

, 19 74.

Notary Public

Residing at

Kanawha, Idaho

My commission expires

2-22-77

For Department Use Only

Received by

mls

Date

2-11-74

Exception filed by:

Forwarded to

Date

Prelim. check by

GLF

Date

2-12-74

claimant by:

\$10.00 fee received by

mls (13805)

Date

2-11-74

Approved for publication by

Published in

Gooding County Leader

Dates

2-21 & 2-28-74

36 4036

Affidavit of Publication

RECEIVED

State of Idaho, }
County of Gooding } ss.

MAR 4 1974

Department of Water Administration,
Southern District Office

Gale Z. Brammer, 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 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 21 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 21 day of February, 19 74 and the date of the last publication was on the 28 day of February, 19 74

Gale Z. Brammer

Subscribed and sworn to before me this

day of March 1, 19 74.
(SEAL)

Shirley Cannon
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho 83330

COST OF PUBLICATION

Number of Lines in Notice 34

Number of Insertions 2

Lines at 21¢ 34 7.14

Lines at 15¢ 34 5.10

TOTAL COST 12.24

COPY OF NOTICE

Title of Notice

Notice of Publication

Title of Notice

36-4036

Plaintiff Attorney

Defendant

Plaintiff

~~State of Idaho~~ Bill to
of Water Administration
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

NOTICE OF CLAIM TO A WATER RIGHT NO. 36-4036

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 3.2 cubic feet per second of water from groundwater with point of diversion in the NE 1/4, Sec. 3, T 9S, R 14E, B.M., County of Gooding.

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation of 160 acres with a priority of May 1, 1962; the place of use is within the E 1/2 NE 1/4, Sec. 3; S 1/2 SE 1/4 Sec. 34, T 9S, R 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.
R. KEITH HIGGINSON
Director

Pub. 2-21,28

No 2171

36 4036

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>GLF</u>	<u>2.12.74</u>	Application No. <u>36-4036</u> <u>Tony Ruffing</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☐ Description of Diverting Works ☐ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>GLF</u>	<u>2.12.74</u>	In form to receipt
	<u>GLF</u>	<u>2.12.74</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>GLF</u>	<u>2.12.74</u>	☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>GLF</u>	<u>2.12.74</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>LT</u>	<u>3.4.74</u>	Affidavit of Publication received (date) <u>3.4.74</u>
(11)			Final date for protests <u>3-11-74</u> Protests received: yes _____ no _____
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes _____ no _____
(14)			Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District	By	Date

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

CLAIM TO A WATER RIGHT

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, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to groundwater.

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
- (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>3.2 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>Mar. 15</u> | To | <u>Nov. 15</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 3.2 cfs 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) May 1, 1962

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)
NE ¼ NE ¼, Sec. 3 Twp. 9S 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. flood irrigation

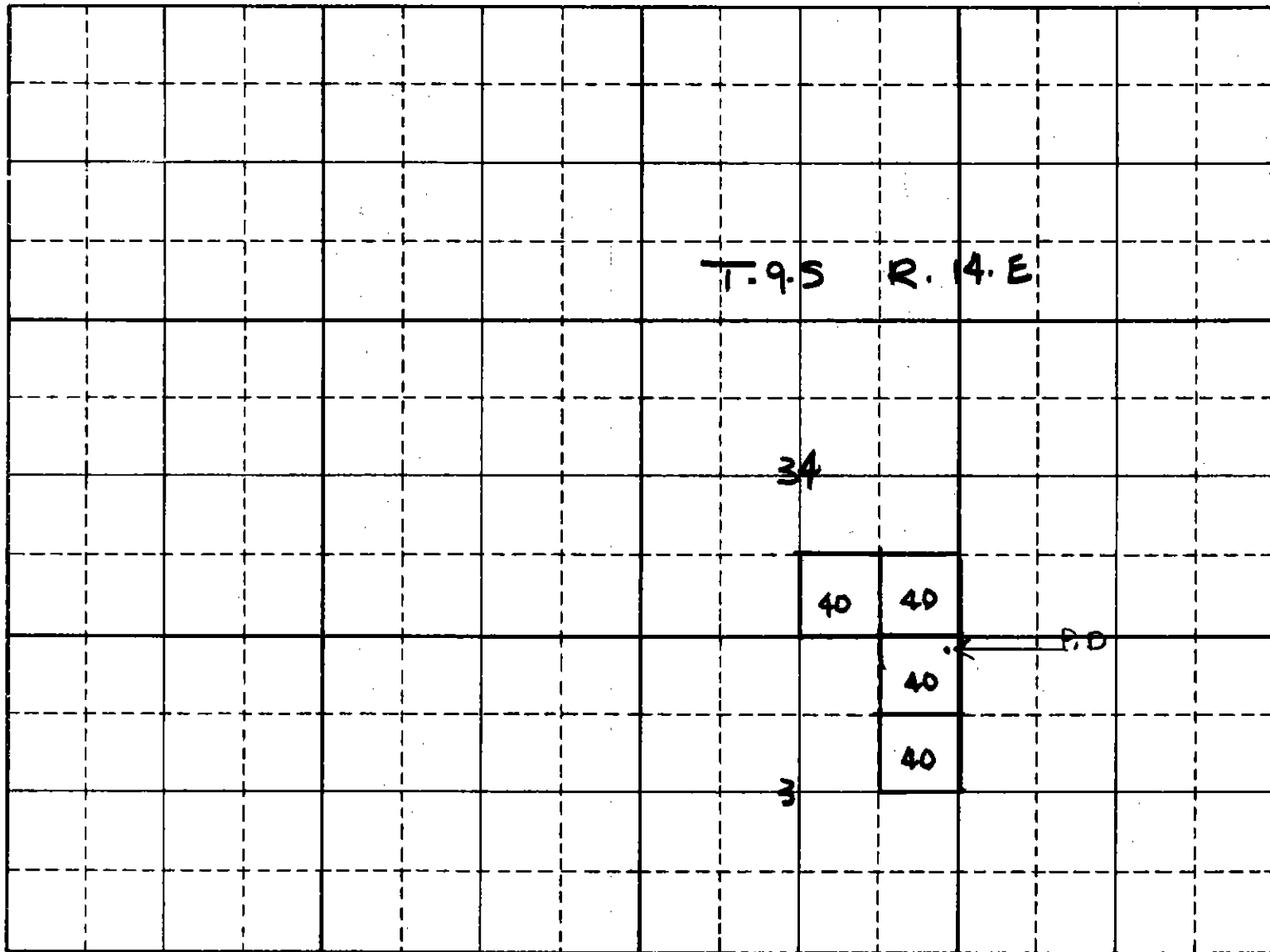
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 160

- 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

Lain 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

11th

day of

February

19 74

Notary Public

Residing at

Kearney Idaho

My commission expires

2-22-77

For Department Use Only

Received by

mls

Date

2-11-74

Exception filed by:

Forwarded to

Date

Prelim. check by

GLE

Date

2-12-74

claimant by:

\$10.00 fee received by

mls (1325)

Date

2-11-74

Approved for publication by

Published in

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Dates

2-27 & 2-28-74

36 4036

Affidavit of Publication

RECEIVED

State of Idaho, }
County of Gooding } ss.

MAR 4 1974

Department of Water Administration,
Southern District Office

Gale Z. Branner, 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 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 21 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 21 day of February, 1974 and the date of the last publication was on the 28 day of February, 1974

Gale Z. Branner

Subscribed and sworn to before me this _____

day of March, 1974.
(SEAL)

Shirley Command
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho 83330

COST OF PUBLICATION

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Plaintiff Attorney

Defendant

Plaintiff

~~State of Idaho Depart.~~
Bill to
of Water Administration
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

NOTICE OF CLAIM TO
A WATER RIGHT
NO. 36-4036

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 3.2 cubic feet per second of water from groundwater with point of diversion in the NE¼ NE¼, Sec. 3, T 9S, R 14E, B.M., County of Gooding.

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation of 160 acres with a priority of May 1, 1962; the place of use is within the E¼ NE¼, Sec. 3; S¼SE¼ Sec. 34, T 9S, R 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.
R. KEITH HIGGINSON
Director

Pub. 2-21,38

No 2171

36 4036

4-10-97

Sirs-

We sold our place all
but 7 acres - So
please send all papers
to

Southfield Dairy
3308 South 1600 East
Wendell, Idaho

83355-

Thank you -

Tony & Glenn
Ruffing

We kept 7 shares of
canal water - North Side
canal co)

36-4036 140

36-4648 200

RECEIVED

APR 21 1997

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

FROM Jim S.

DATE 1-22-85

TO File

SUBJECT Claim 36-4036, Error in Place of Use

Sec. 34 land is in T. 8S R14E, not T. 9S as stated on claim. Otherwise the land would not be in Gooding County. The map shows that Sec. 34 & 3 are contiguous, so must be in two different townships. Correct land description verified by Mr. Ruffing 1-23-85.



SIGNATURE

March 11, 1974

RE: Claim to a Water Right No. 36-4036

Mr. Tony Ruffing
Route 1
Wendell, Idaho 83355

Dear Mr. Ruffing:

The Department of Water Administration 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 preserves 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, for your records, a copy of the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

enc.

36 4036

February 12, 1974

RE: Application No. 36-4036 - 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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 3-4-74 - LT

36 4036

Need Galley Proof

**NOTICE OF CLAIM TO
A WATER RIGHT
NO. 36-4036**

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 3.2 cubic feet per second of water from groundwater with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T 9S, R 14E, B.M., County of Gooding.

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation of 160 acres with a priority of May 1, 1962; the place of use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 3; S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 34, T 9S, R 14E, B.M.

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

R. KEITH HIGGINSON
Director

Pub. 2-21,28

2-21-74
WT

36 4036

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4036

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 3.2 cubic feet per second ~~xxone feet per second~~

of water from groundwater

with point of diversion in the NE¹/₄ Sec. 3, T 9S, R 14E, B.M.,

County of Gooding

The water is claimed to be used from Mar. 15 to Nov. 15

for irrigation of 160 acres

with a priority of May 1, 1962;

the place of use is within the E¹/₂ E¹/₄, Sec. 3; S¹/₂ SE¹/₄ Sec. 34, T 9S,
R 14E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on Feb. 21 and Feb. 28, 1974

36 4036