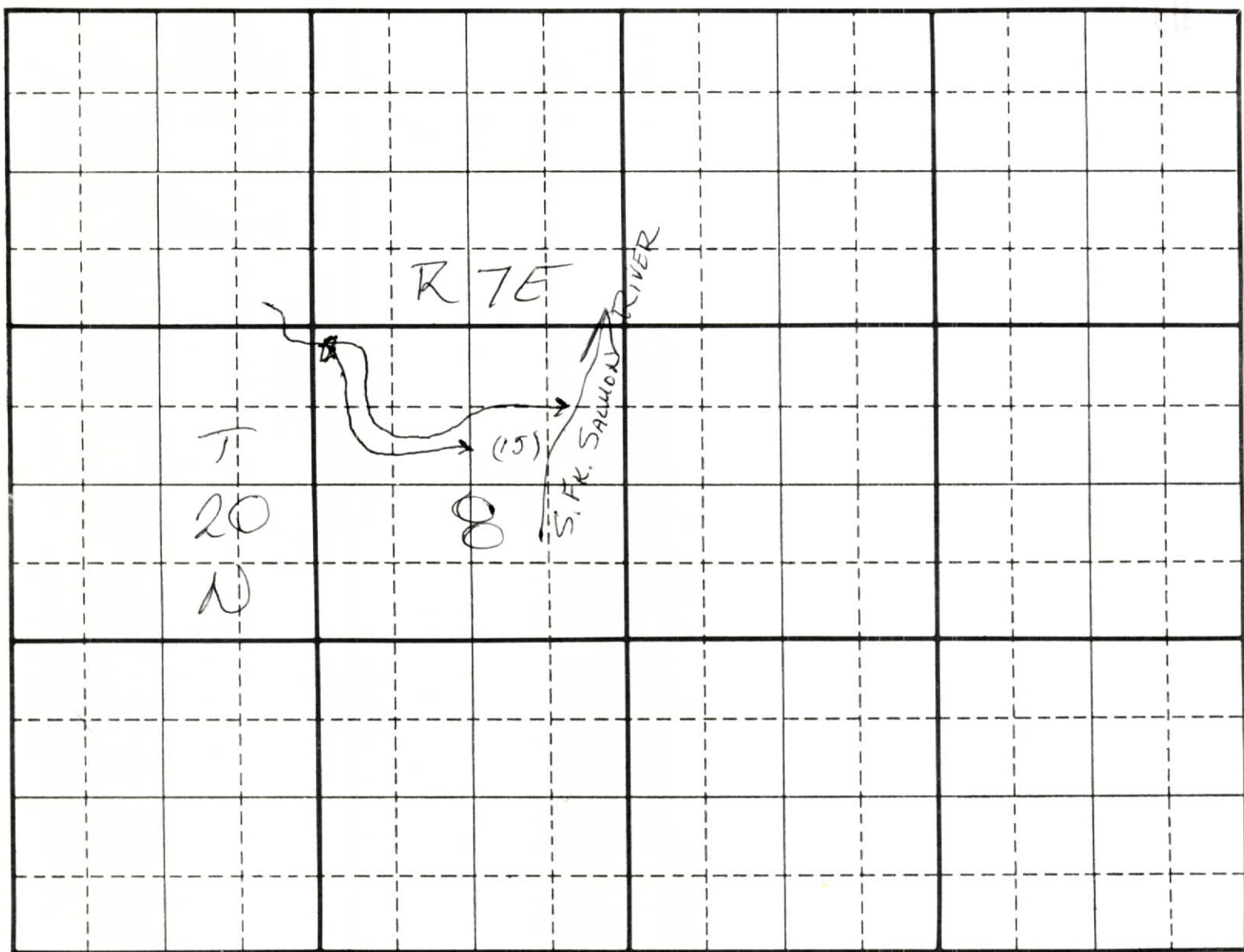


(8) Remarks Homesteaded before 1900 - Patent No. 976730.



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 Ada) 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.

Sworn to before me this 13 day of July, 1981.

Mary J. McKinley
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by Com Date 13 JUL 1981 Exception filed by:
Prelim. check by 665 Date 7/21/81
\$30.00 fee received by Com Date 13 JUL 1981 # 19531
Published in Star News 7-23-81
Dates 7-30-81 to 8-6-81

Forwarded to
claimant by: Date

MICROFILMED

FEB 15 1981

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

SS.

County of Valley }

Beryl Baker

being duly sworn deposes and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Not. of Claim to Water, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began July 30 19 81 and ended August 6 19 81.

Beryl Baker

Subscribed and sworn to before me this the 6th day of August 19 81

Melody Juarez

Notary Public in and for the State of
Idaho, residing at McCall
therein

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:

77-4075

McCLUSKY, MARY J.
423 FILLMORE, TWIN
FALLS, ID 83301

Source: FRITSER
CREEK tributary to
SALMON RIVER, SOUTH
FORK

Priority Date: 01-01-1898

Amount: 0.34 CFS

Diverison Point: NWNW
Sec 08 T 20N R 07E, VALLEY
Co.

Use: IRRIGATION (0.30
CFS) from 04-01 to 11-01
STOCKWATER (0.02 CFS)
from 01-01 to 12-31
DOMESTIC (0.02 CFS) from
01-01 to 12-31

Place of Use: LOT 03
(SWNE) Sec 08 T 20N R 07E
FOR 15 ACRES

Diversion Means: SLUICE
BOX, PIPE & GRAVITY
IRR.

Any exception to any claim
of water right may be filed
with the Director of the
Idaho Department of Water
Resources, 92 S. Cole Road,
Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 7-30 & 8-6-81

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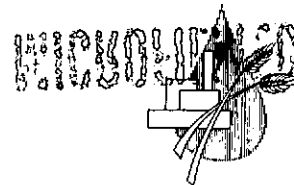
FEB 15 1989

RECEIVED

AUG 25 1981

Department of Water Resources
Western Regional 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 Mary J. McClusky (Name of Claimant)
123 Fillmore, Twin Falls, ID 83301 (Mailing Address) Telephone No. 733-6909 (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) 1898

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)
Fritser Creek tributary to Salmon River, South Fork

(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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.30</u>		Use <u>Irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity <u>.02</u>		Use <u>Domestic</u>		Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>.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 _____

(4) .34 (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 8 Twp. 20N Rge. 7E B.M., County of Valley
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. Sluice box, 6-inch pipe, and gravity 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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	7E	8			15														15

No. of acres 15

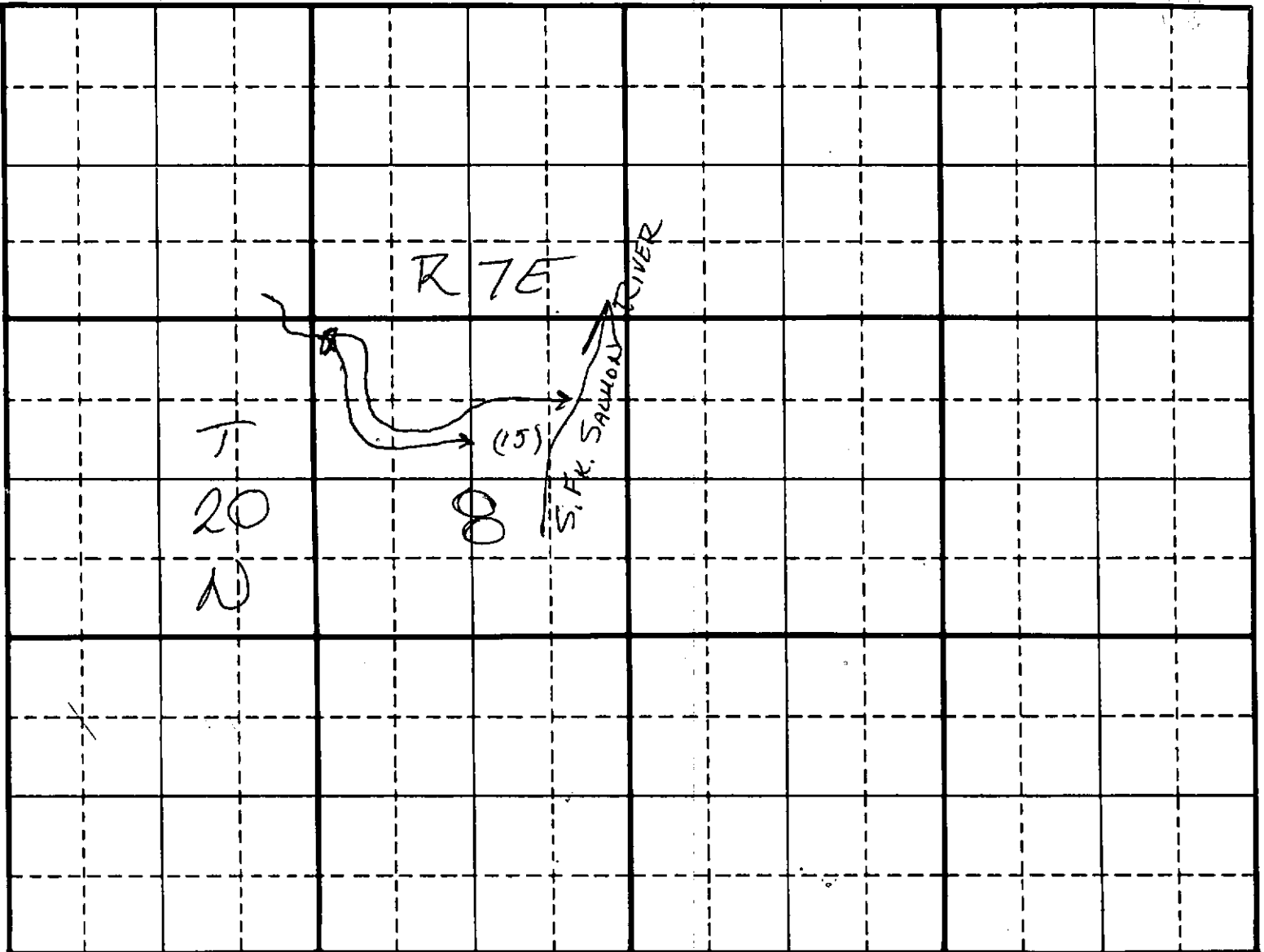
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic - 1 household

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NOTE: Include here the type and number of stock watered: 10 horses.

(7) If you are claiming water as a member of an organization, list name of organization: FEB 15 1989

(8) Remarks Homesteaded before 1900 - Patent No. 976730.



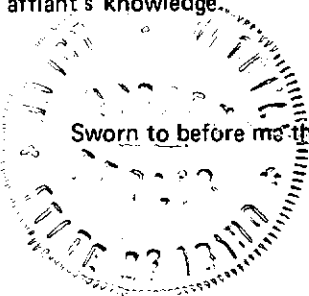
Scale: 2 Inches equal 1 mile.

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 Ada) 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.



Sworn to before me this

13 day of

July

1981.

Mary J. McCluskey
(Claimant)

Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by Cam Date 13 JUL 1981 Exception filed by:
Prelim. check by 665 Date 7/21/81
\$0.00 fee received by Cam Date 13 JUL 1981 # 19531
Published in Star Herald 7-23-81
Dates 7-20-81 to 8-6-81

Forwarded to
claimant by: Date

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FEB 15 1984

PUBLISHERS AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS.

County of Valley

Beryl Baker

, being duly sworn deposes and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Not. of Claim to Water, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began July 30 19 81 and ended August 6 19 81.

Beryl Baker

Subscribed and sworn to before me this the

6th day of August 19 81

Melody Juarez

Notary Public in and for the State of Idaho, residing at McCall therein.

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.

77-4075

McCLUSKY, MARY J.
23 FILLMORE, TWIN FALLS, ID 83301.

Source: FRITSER CREEK tributary to SALMON RIVER, SOUTH FORK

Priority Date: 01-01-1898

Amount: 0.34 CFS

Diversion Point: NWNW Sec 08 T 20N R 07E, VALLEY Co.

Use: IRRIGATION (0.30 CFS) from 04-01 to 11-01
STOCKWATER (0.02 CFS) from 01-01 to 12-31
DOMESTIC (0.02 CFS) from 01-01 to 12-31

Place of Use: LOT 03 (SWNE) Sec 08 T 20N R 07E FOR 15 ACRES

Diversion Means: SLUICE BOX, PIPE & GRAVITY IRR.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director

Published 7-30 & 8-6-81

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6961 51 023

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AUG 25 1981

Department of Water Resources
Western Regional Office

01 WATER RIGHT NUMBER - 77-4075

02 OLD (D) NUMBER -

03001 - MCCLUSKY ✓ LAST NAME

04001 - MARY J. ✓ FIRST NAME

05001 - C ✓ ORIG. OWNER

06 ADD LINE 1 - 123 FILLMORE ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - TWIN FALLS ✓

10 STATE - ID ✓

11 ZIP - 83301 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - FRITSER CREEK ✓ SOURCE

15001 - SALMON RIVER, SOUTH FORK ✓ TRIBUTARY OF

16 DIVERSION MEANS - SLUICE BOX, PIPE & GRAVITY IRR.

17 COUNTY - 85 VALLEY ✓

18 DIVERSION CAPACITY - .000 ✓

19 TOTAL DIVERSION RATE - .340 ✓

20 TOTAL DIVERSION VOLUME - .00 ✓

21 WATER DISTRICT -

TRACT		SEC	TWN	RNG	DIVERSION POINTS		STREAM INDEX FIELDS									
					LOT	RFLG										
22001 -	NWNW	23001 - 08	24001 - 20N	25001 - 07E	26001 -	27001 -										
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE - D/1 HOME S/10 RANGE ✓

USE CODE / USE		TWN	RNG	PLACE OF USE		SEC	TRACT	ACRES	LOT
30001 - 01	IRRIGATION ✓	31001 - 20N	32001 - 07E	33001 - 08	34001 - SWNE	35001 - 15	36001 - 03		
								TOTAL ACRES: 15 ✓	

PERIOD FROM		PERIOD TO		USE CODE / USE		WATER USE		DIVERSION RATE		DIVERSION VOLUME	
37001 - 0401	38001 - 1101	39001 - 01	IRRIGATION	40001 -	0.300	41001 -	0.00				
37002 - 0101	38002 - 1231	39002 - 04	STOCKWATER	40002 -	0.020	41002 -	0.00				
37003 - 0101	38003 - 1231	39003 - 43	DOMESTIC	40003 -	0.020	41003 -	0.00				

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-JAN-1898 ✓	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		

WRR100
77-4075

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
16-DEC-1985 08:21:03

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 28-JUL-1981	62	DATE_2 -		

VERIFIED AMS

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 77-4075-2 Applicant McCLUSKY

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. 8/25/81
- ☒ Claim published correctly. 7-30 & 8/6/81 later news
- ☐ Exceptions processed.

By DBS Date 8/31/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 9/9/81

RECEIVED
SEP 03 1981

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

AUGUST 19, 1981

MARY J. MCCLUSKY
123 FILLMORE
TWIN FALLS

ID 83301

RE: Claim No. 77-4075

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,

DAVID B. SHAW
Western Region Supervisor

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FEB 15 1989

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JULY 23, 1981

The Star News
Box 985
McCall, ID 83638

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 AUGUST 17, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

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FEB 15 1989

NOTICE OF CLAIMS TO WATER RIGHTS

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A. KENNETH DUNN

Director

Published 7/30 & 8/6/81.

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FEB 15 1989

ZZ-4075-

MCCLUSKY, MARY J.

123 FILLMORE, TWIN FALLS, ID 83301

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Priority Date: 01/01/1898

Amount: 0.34 CFS

Diversion Point: NWNW Sec 08 T 20N R 07E, VALLEY Co.

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STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

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Diversion Means: SLUICE BOX, PIPE & GRAVITY IRR.

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FEB 15 1989