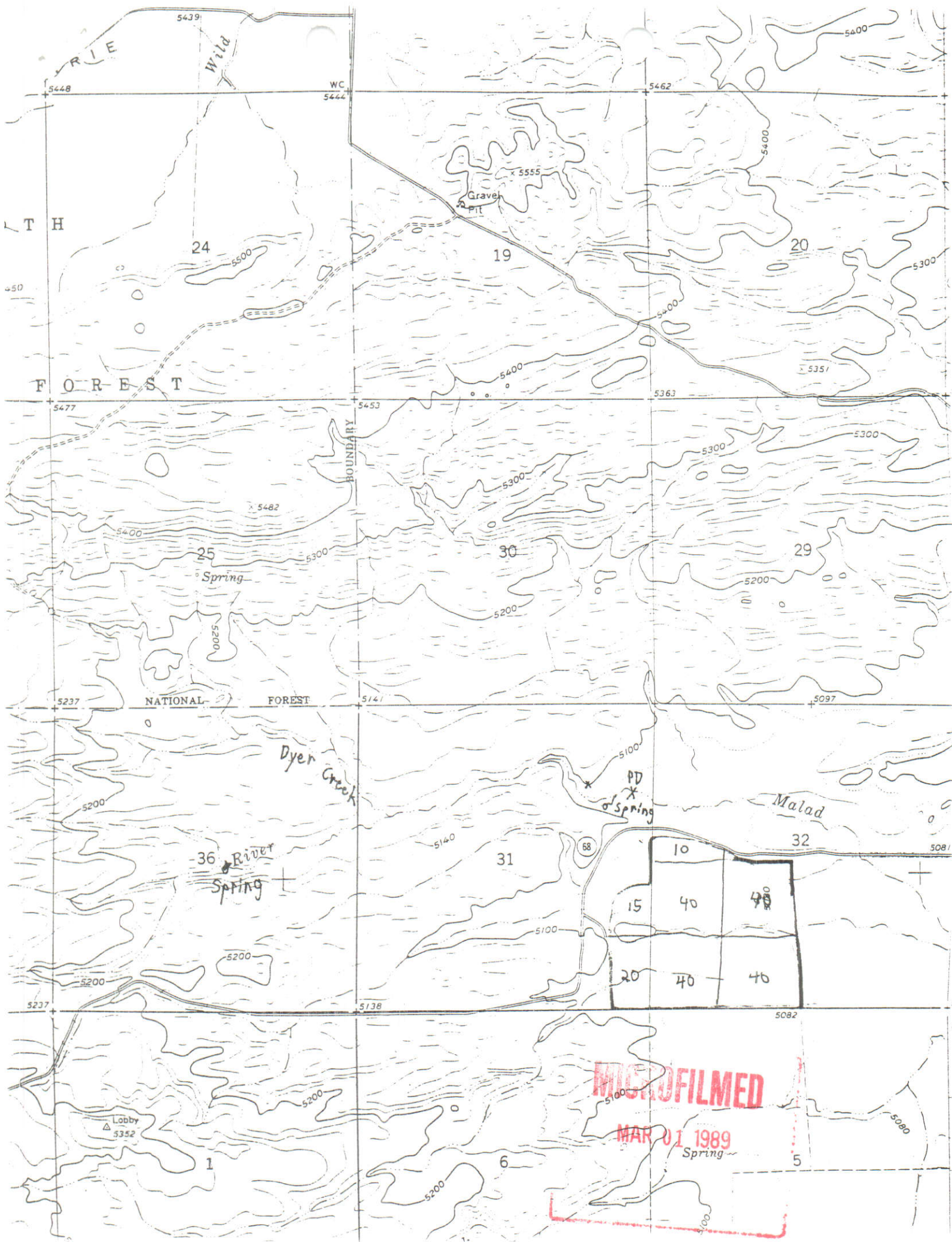




**NOTICE OF AMENDED CLAIM
TO WATER RIGHTS**

The following amended claim has been filed on water rights created by diversion and beneficial use.

37-4403

Quarter Circle Lazy H, Inc.
c/o Charles Hobdey
HC 60 Box 1630
Bliss, ID 83314

Source: Springs tributary to Malad River; Malad River tributary to Camas Creek; Dyer Creek tributary to Malad River.

Diversion Point: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T1S, R11E, Elmore County; 1 mile south & 7 miles West of Hill City.

Use: Irrigation (4.0 cfs).

Priority Date: 5/1/1889.

In: 205 acres within E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T1S, R11E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 32, T1S, R11E.

Exceptions to a claim may be filed with the Director, Department of Water Resources,

Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301.

R. Keith Higginson, Director

Published in Mountain Home News on 11/16 & 11/23/88.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberg do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof; was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 16 day
of November, 1988, and

the last publication having been made on the
23 day of November,
1988; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberg
Subscribed and sworn to me this 5th
day of December, 1988.

Dean W. Sue
Notary Public

RECEIVED

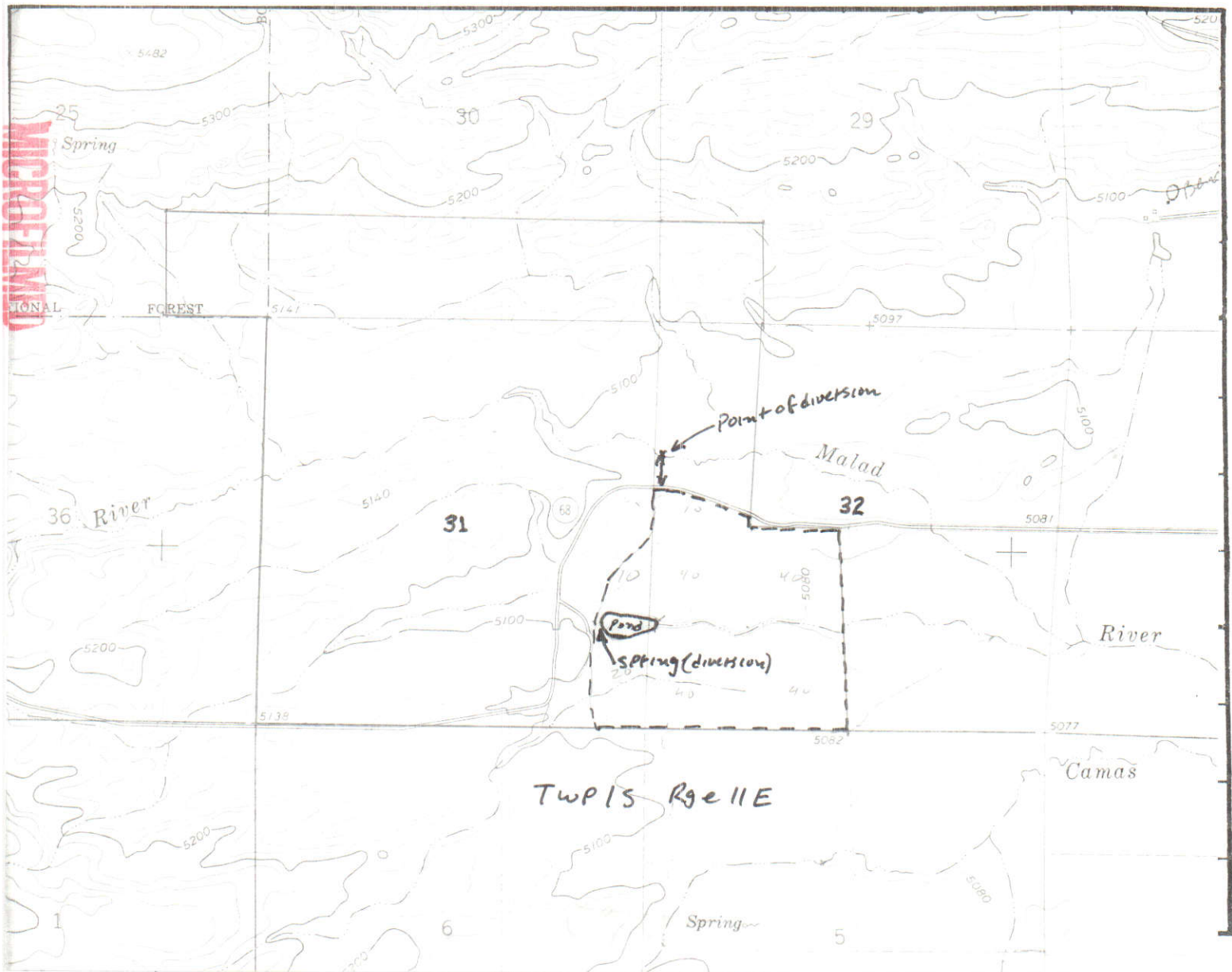
DEC 15 1988

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 01 1989

(8) Remarks _____



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 affiant's knowledge.

Sworn to before me this 25 day of August, 1983.

Charles A. Hobday
Pres. (Claimant) ±

Loren O'Hallinan
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JH Date 8/25/83 Exception filed by: _____ Date _____
Prelim. check by JB Date 9-14-83 Forwarded to claimant by: _____ Date _____
\$100 - \$30.00 fee received by JH Date 8/25/83 # 32859
Published in min home news _____
Dates 11/10 + 11/17/83 _____

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:
37-4403

QUARTER CIRCLE LAZY H,
INC.

FAULKNER LAND & LIVESTOCK, INC.

C/O CHARLES HOBDEY, HC 60
BOX 1630, BLISS, ID 83314

Source: MALAD RIVER trib. to
CAMAS CREEK; SPRING trib. to
MALAD RIVER

Priority Date: 05/01/1889

Diversion Pt: SESE Sec 31 T 01S R
11E SWNW Sec 32 T 01S R 11E

Use: IRRIGATION (4.00 CFS)

In: SWSE SESE Sec 31 T 01S R
11E SWNW NESE NWSE SWSE
SESE Sec 32 T 01S R 11E FOR 200
ACRES

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 28, 1983.

A. KENNETH DUNN

Director

Published 11/10 & 11/17/83.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 10 day
of November, 1983, and
the last publication having been made on the
17 day of Nov,
1983; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

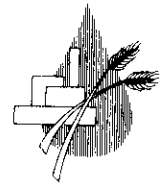
Lloyd S. Waters

Subscribed and sworn to me this 21st
day of November, 1983

Allen W. Swenson
Notary Public

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



AMENDED 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 Quarter Circle Lazy H, Inc.

(Name of Claimant)

c/o Charles Hobdey, HC 60, Box 1630, Bliss, ID 83314

Telephone No. 352-4226

(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) 5-1-1889

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)

See Remarks 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>4.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr 1</u>	To <u>Nov 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 4.0 cfs TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NE ¼, Sec. 31 Twp. 1S Rge. 11E B.M., County of Elmore

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. Check dam & ditch from Malad River to P/U.

(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	
1S	11E	31													15			20	35
		32							10		40	40	40	40					170

No. of acres 205

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

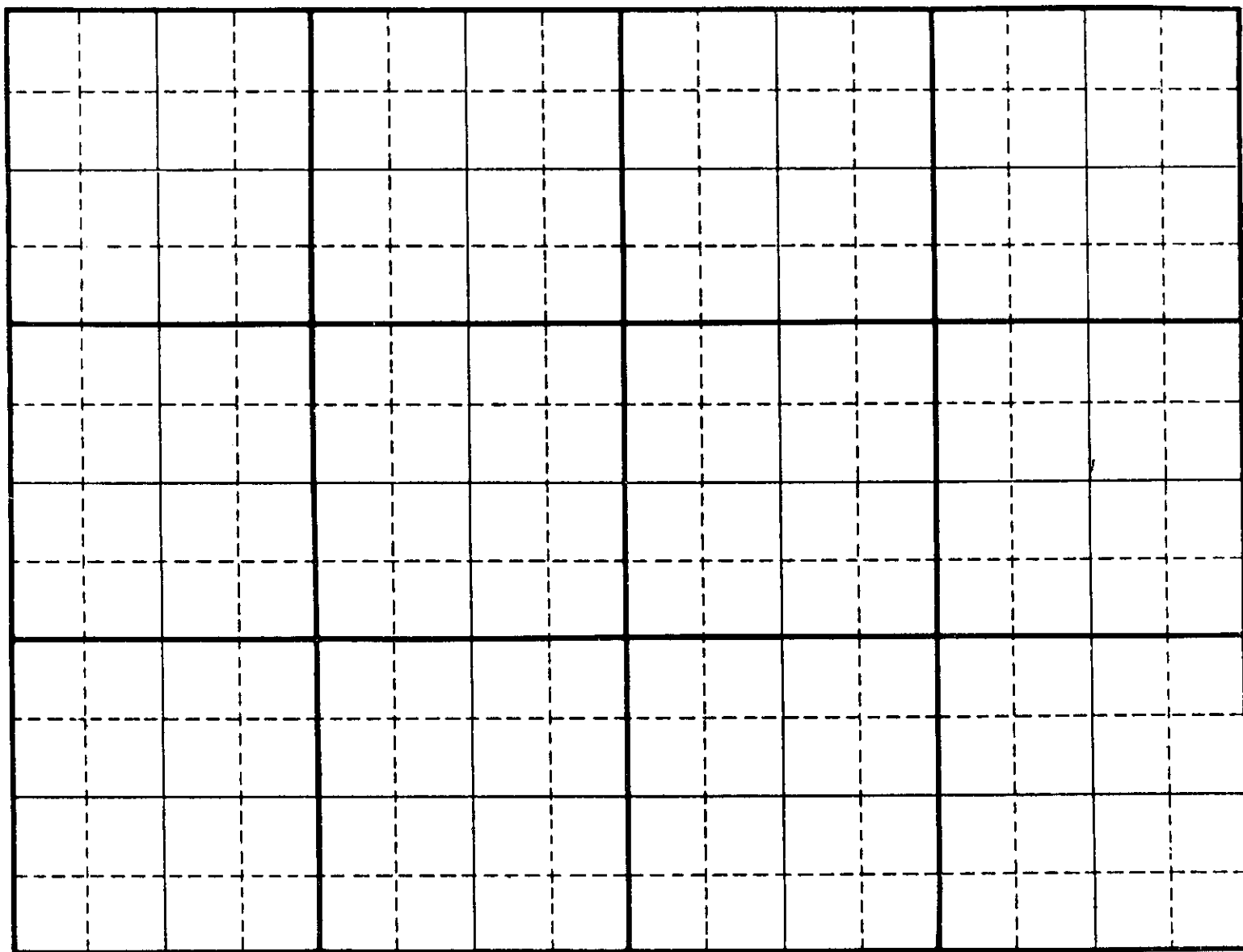
NOTE: Include here the type and number of stock watered:

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

MAR 01 1989

INDEXED

- (8) Remarks Sources are springs located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36 T. 1S R. 10E & NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T. 1S R. 11E. Both springs flow into the Malad River upstream from the P/D. Dyer Cr. also flows into the Malad R. above the P/D. Diversion also picks up other water in Malad River channel at the P/D.



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 affiant's knowledge.

Quarter Circle Lazy H. Inc.
Mary Thompson, Sec.
(Claimant)

Sworn to before me this 13th day of June, 19 88.

Mary A. Baldwin
Notary Public
Residing at Gooding, Id

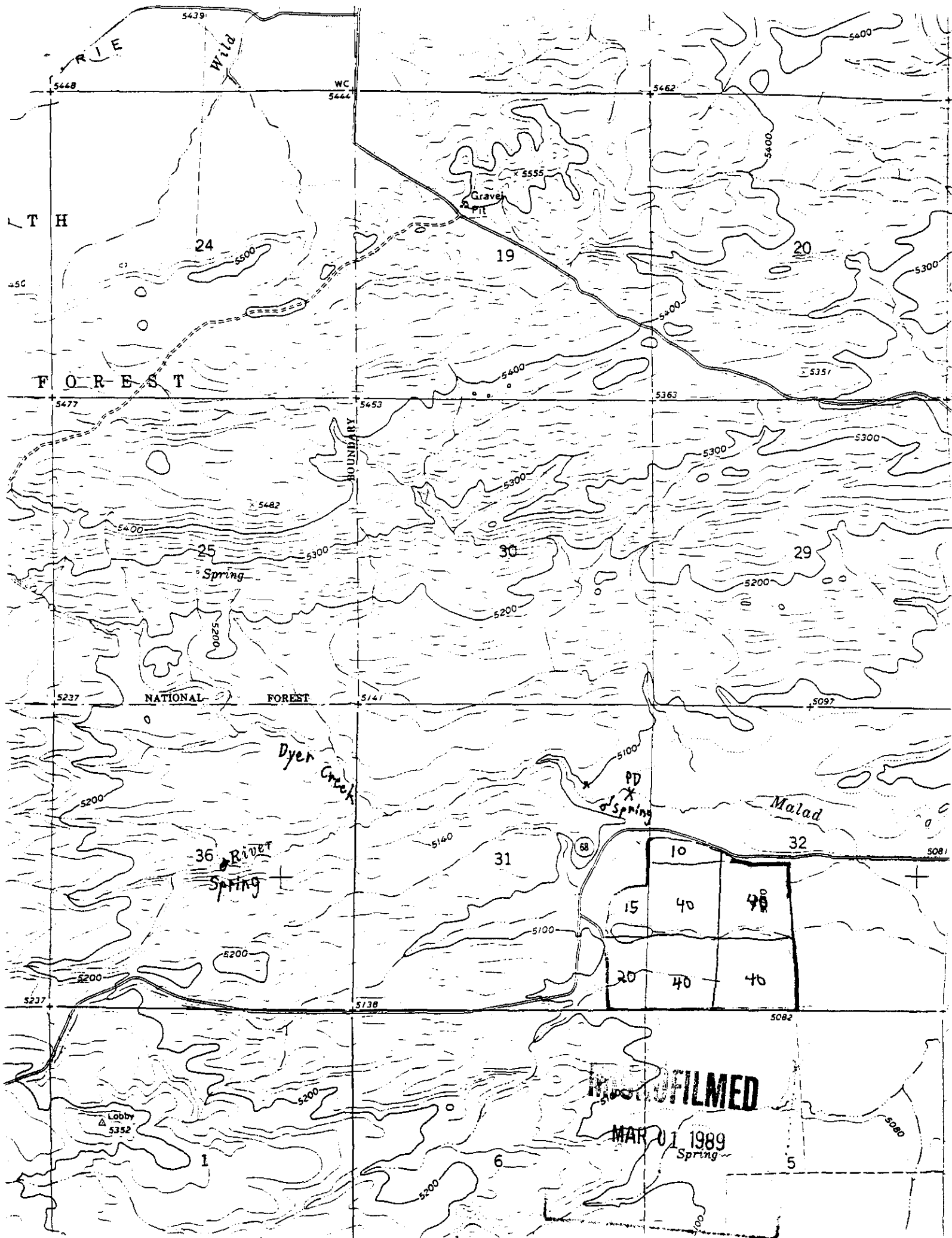
My commission expires 10/16/1992

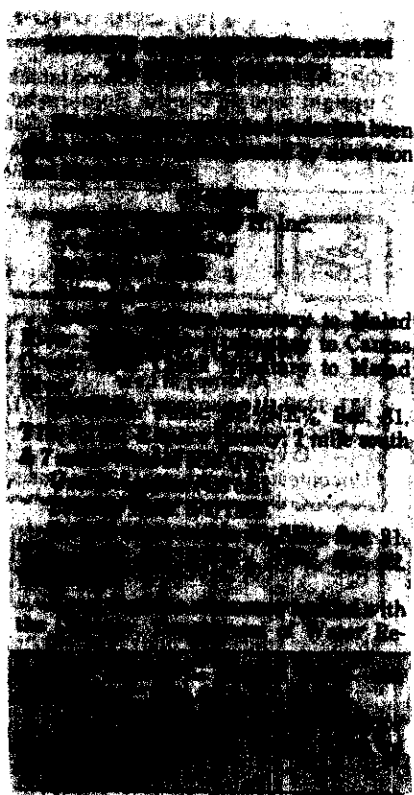
FOR DEPARTMENT USE ONLY

MICROFILMED

Received by J. Stanton Date 6-13-88
Prelim. check by R. L. Date 11/88
~~\$30.00~~ fee received by N/A Date _____
Published in Mountain Home News
Dates 11/16 + 11/23/88

Exception filed by: _____ Forwarded to _____ Date _____
MAR 01 1989





Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Mike Thornberry*... do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-

tion having been made on the *16*.... day
of *November*....., 19*88*., and

the last publication having been made on the
23... day of *November*....

19 *88*.....; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry

Subscribed and sworn to me this *5th*....
day of *December*....., 19*88*.

Wendy Sue
Notary Public

*OK
MB
12/28/88*

RECEIVED

DEC 15 1988

Dept. of Resources
Region Office

MICROFILMED

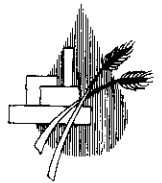
MAR 01 1989

1997

The filing deadline has been extended with a substantially increased fee:

<u>Date Claim Filed</u>	<u>Fee</u>
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

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 Quarter Circle Lazy H Inc. Franklin Land & Livestock Inc.
(Name of Claimant)

% Charles Hobder HCLD Box 1630 Bliss, ID 83314 Telephone No. 352-4226
 (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) 5/1/1889

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)

tributary to ① Camas Creek ② Malad River

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

				(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity <u>4.00</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		

(4) 4.00 TOTAL QUANTITY USED.
(cfs. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ SE ¼, Sec. 31 Twp. 15 Rge. 11E B.M., County of Elmore
Additional points of diversion: SW ¼ NW ¼ Sec. 32 T 15 R 11E

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. Dams, Pond, & ditches

(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]

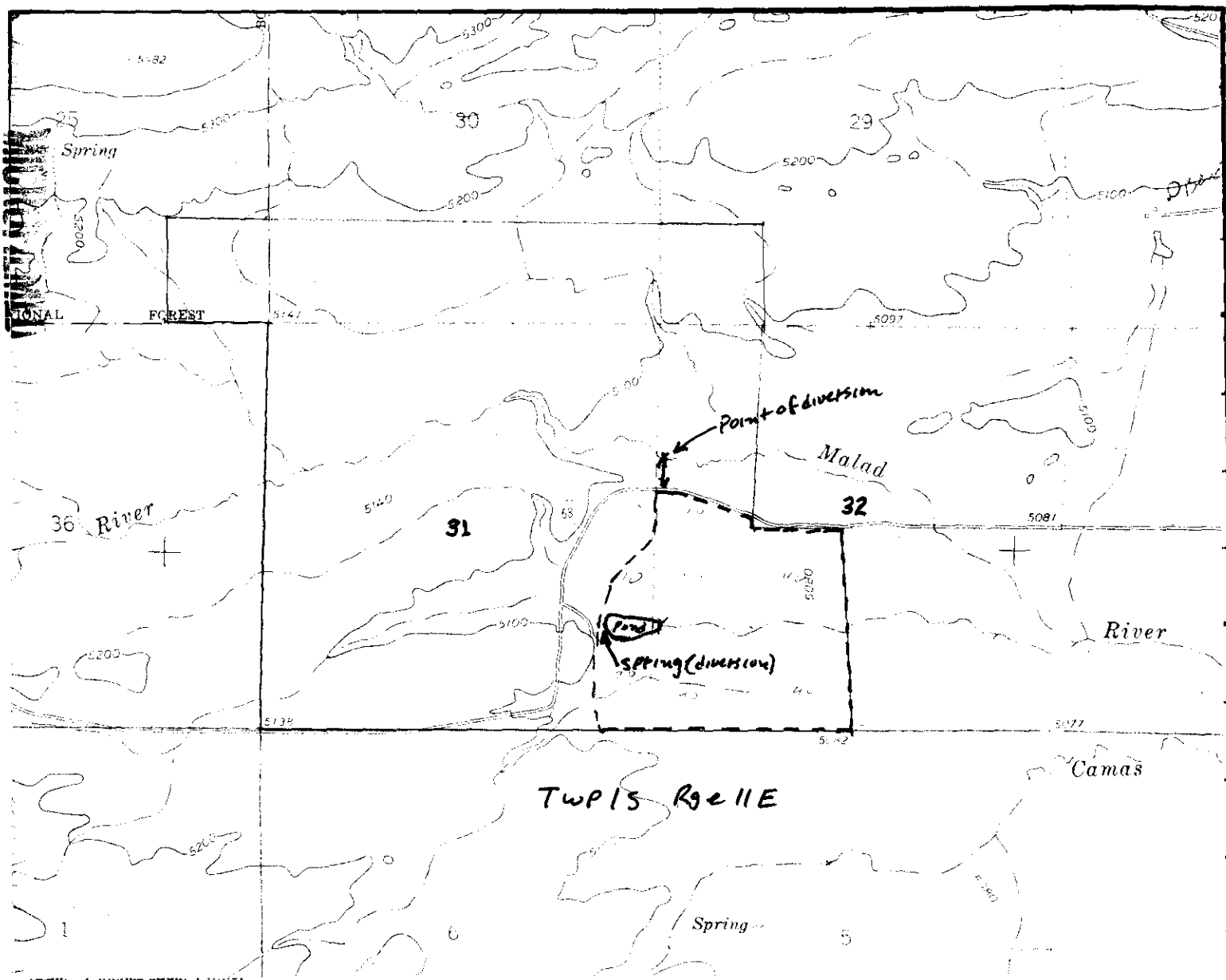
No. of acres 200

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks _____



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 affiant's knowledge.

Sworn to before me this 25 day of August, 1983.

Charles A. Hobday
Pres. (Claimant) ff

Loren O'Halloran
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>JH</u>	Date <u>8/25/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JB</u>	Date <u>7-14-83</u>		claimant by:	
\$100 ~~100.00~~ fee received by <u>JH</u>	Date <u>8/25/83</u> # <u>32859</u>			
Published in <u>Idaho Home News</u>				
Dates <u>11/10 & 11/17/83</u>				

Quarter Circle
Lazy H, Inc.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

Amended Claim

INITIAL REVIEW BY: JA

Right Number 37-4403 Applicant Quarter Circle Lazy H 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. (Springs) > Malad R, Malad R > Camas Ct., Dry Ct > Malad R.
- ☒ 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.

By JA Date 2/3/89

STATE/OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 2/13/89

STAFF ANALYSIS SUPPLEMENT

Quarter Circle
Lacey H, Inc.

1) Water District 37 Basin # 37

2) Local Description: (of one P/D)

☐

At the above street address

☒

1 miles N/S South and 7 miles E/W West
of Hill City (City or landmark).

☐

Other (describe): _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Nov-1988

Mountain Home News
P.O. Drawer 0
Mountain Home, ID 83647

Re: Amended Claim No. 37-4403

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.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

MAR 01 1989

NOTICE OF AMENDED CLAIMS TO WATER RIGHT

The following amended claim has been filed on water rights created by diversion and beneficial use.

37-4403

Quarter Circle Lazy H, Inc.
c/o Charles Hobdey
HC 60 Box 1630
Bliss, ID 83314

Source: Springs tributary to Malad River
Malad River tributary to Camas Creek
Dyer Creek tributary to Malad River

Diversion Point: SE1/4NE1/4, Sec. 31, T1S, R11E, Elmore
County; 1 mile South & 7 miles West of Hill City.

Use: Irrigation (4.0 cfs)

Priority Date: 5/1/1889

In: 205 acres within E1/2SE1/4, Sec. 31, T1S, R11E;
SW1/4NW1/4, SW1/4, Sec. 32, T1S, R11E.

Exceptions to a claim may be filed with the Director,
Department of Water Resources, Southern Region, 2148 4th
Avenue East, Twin Falls, ID 83301.

R. Keith Higginson, Director

Published in Mountain Home News on 11/16 & 11/23/88

RECORDED

MAR 01 1989

RECEIVED

NOV 28 1983

Department of Water Resources
Southern District Office

Box 120
Hill City, ID. 83337
Nov. 23, 1983

Director
Idaho Department of Water Resources
1041 Blue Lakes Blvd., North
Twin Falls, ID. 83301

RE: Application for Water Right #37-4403
Quarter Circle Lazy H, Inc.
Faulkner Land and Livestock, Inc.
c/o Charles Hobday, HC 60 Box 1630,
Bliss, ID. 83314

Dear Sir:

It is believed 4:00 CFS irrigation water would be total flow at times and more than needed to irrigate 200 acres so I would like to protest granting of 4:00 CFS diverted from SESE Sec 31 T 01S R 11E S4NW Sec 32T 01S R 11E until guaranteed water would be available to irrigate the 80 acres in Sec 32 and Sec 33 T 01S, R 11E in Elmore County with priority of 05/01/1989 for which I have water right (originally owned by Andrew Johnson).

Sincerely,

Emma M. Bennett

Emma M. Bennett

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 10, 1983

QUARTER CIRCLE LAZY H. INC.
FAULKNER LAND & LIVESTOCK, INC.
C/O CHARLES HORDEY
HC 60 BOX 1630
BLISS ID 83314

RE: Claim No. 37-4403

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

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

37-4403

QUARTER CIRCLE LAZY H. INC.
FAULKNER LAND & LIVESTOCK, INC.

C/O CHARLES HOBDEY, HC 60 BOX 1630, BLISS, ID 83314

Source: MALAD RIVER trib. to CAMAS CREEK
SPRING trib. to MALAD RIVER

Priority Date: 05/01/1989

Diversion Pt: SESE Sec 31 T 01S R 11E SWNW Sec 32 T 01S R 11E

Use: IRRIGATION (4.00 CFS)

In: SWSE SESE Sec 31 T 01S R 11E SWNW NESE NWSE SWSE SESE Sec 32 T 01S R 11E
FOR 200 ACRES

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 28, 1983.

A. KENNETH DUNN

Director

Published 11/10 & 11/17/83.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 31, 1983

Mountain Home News
P.O. Drawer 0
Mountain Home, ID 83647

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 NOVEMBER 28, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

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

3/83

IDENT. NO. 37-4403

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blum

FAULKNER LAND & LIVESTOCK, INC.

Right Number 37-4403

Applicant QUARTER CIRCLE LAZY H INC. &/or

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.

By AD

Date 11/28/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC

Date 12/15/83

RECEIVED