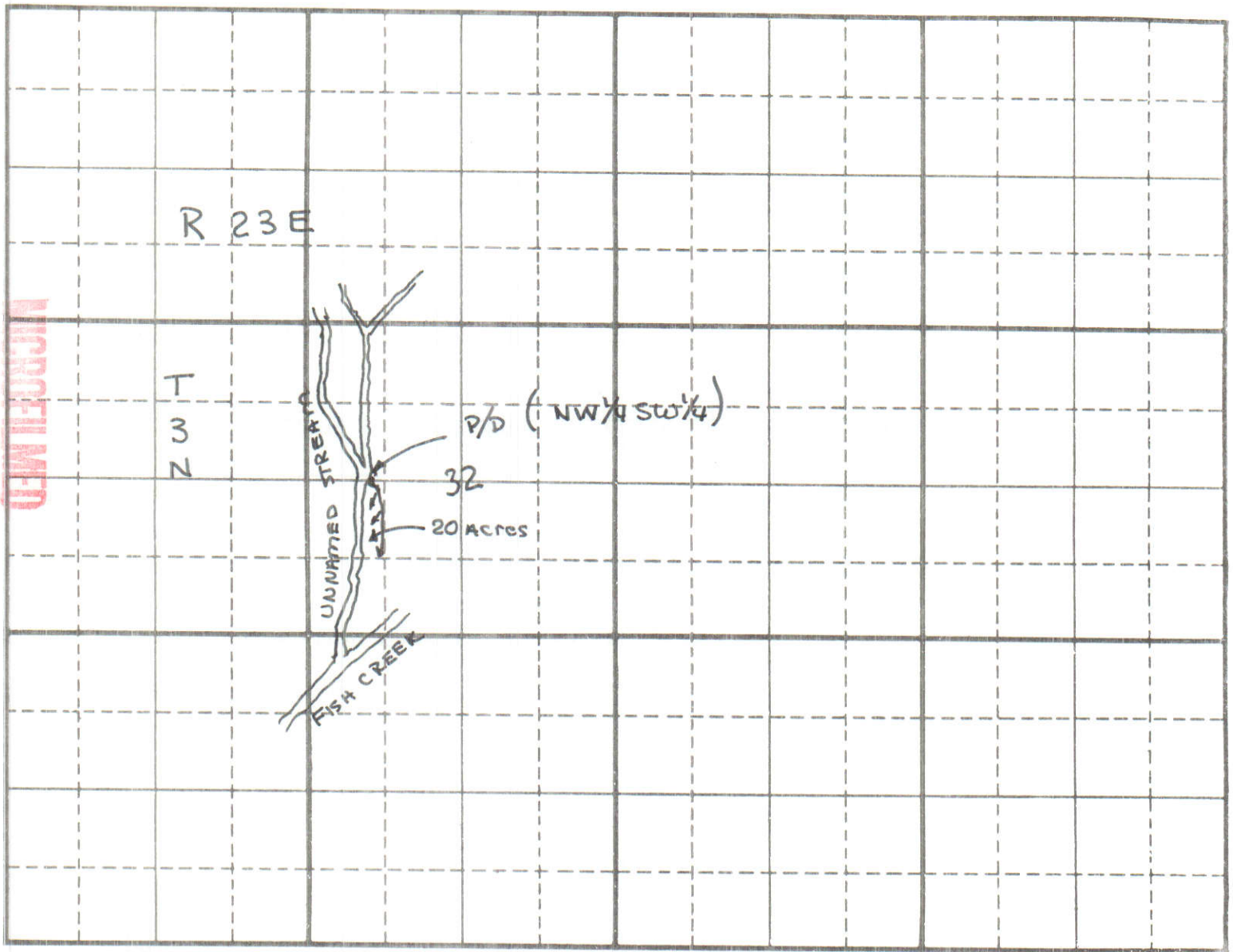


(8) Remarks _____



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 Blaine) 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.

John T. Enos
(Claimant) (president)

Sworn to before me this 28TH day of JUNE, 1983.

Jim Johnson
Notary Public
Residing at Boise, IDAHO

My commission expires LIFE

Received by Jim Date 6-28-83 Exception filed by: _____ Date _____
Prelim. check by Jim TB Date 6-28-83 # 27132 Forwarded to claimant by: _____ Date _____
\$30.00 fee received by _____ Date _____
Published in Wood River Journal _____
Dates 9/1 + 9/8/83 _____

6-30-83
FOR DEPARTMENT USE ONLY

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 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 1 day of September

1983, and the date of the last publication was on the 8

day of September, 1983.

Subscribed and sworn to before me this 16th

day of September, 1983.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13

Number of Lines in Notice 30

Number of Insertions 2

Lines tabular at 30 4¢ / Pica

Lines straight at 30 3¢ / Pica

Subsequent lines at 30 2¢ / Pica

TOTAL COST _____

COPY OF NOTICE

(Paste Here)

37-4394
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept Water Resources
BILL TO

NOTICE OF CLAIM TO WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following claim to water right has been established by diversion and application to beneficial use:

37-4394

BISKAY LAND
& LIVESTOCK CO., INC.

2400 Cherry Lane
Boise, Idaho 83705

Source: UNNAMED STREAM
tributary to FISH CREEK

Priority Date: 11/06/1913

Diversion Point: NWSW Sec 32 T
03N R 23E

Use: IRRIGATION (0.40 CFS)

In: NWSW Sec 32 T 03N R 23E FOR
20 ACRES

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

A. KENNETH DUNN
Director

Publish: Wood River Journal--
September 1 & 8, 1983.

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight 3¢ / Pica

7-8 pt. per line, tabular 4¢ / Pica

7-8 pt. per line successive

insertions 2¢ / Pica

RECEIVED
No 2098

SEP 26 1983

Department of Water Resources
Southern District 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 Biskay Land & Livestock Co., Inc.
(Name of Claimant)
2400 Cherry Lane, Boise, Idaho 83705 Telephone No. 344-2443
(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) November 6, 1913

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)
unnamed stream tributary to Fish Creek

(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.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity	<u>0.4</u>	Use <u>irrigation</u>	Period of Use From <u>May 1</u>	To	<u>Oct. 15</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) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 32 Twp. 3N Rge. 23E B.M., County of Blaine
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.
open ditch and pump & pipeline

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3N</u>	<u>23E</u>	<u>32</u>																	<u>20</u>

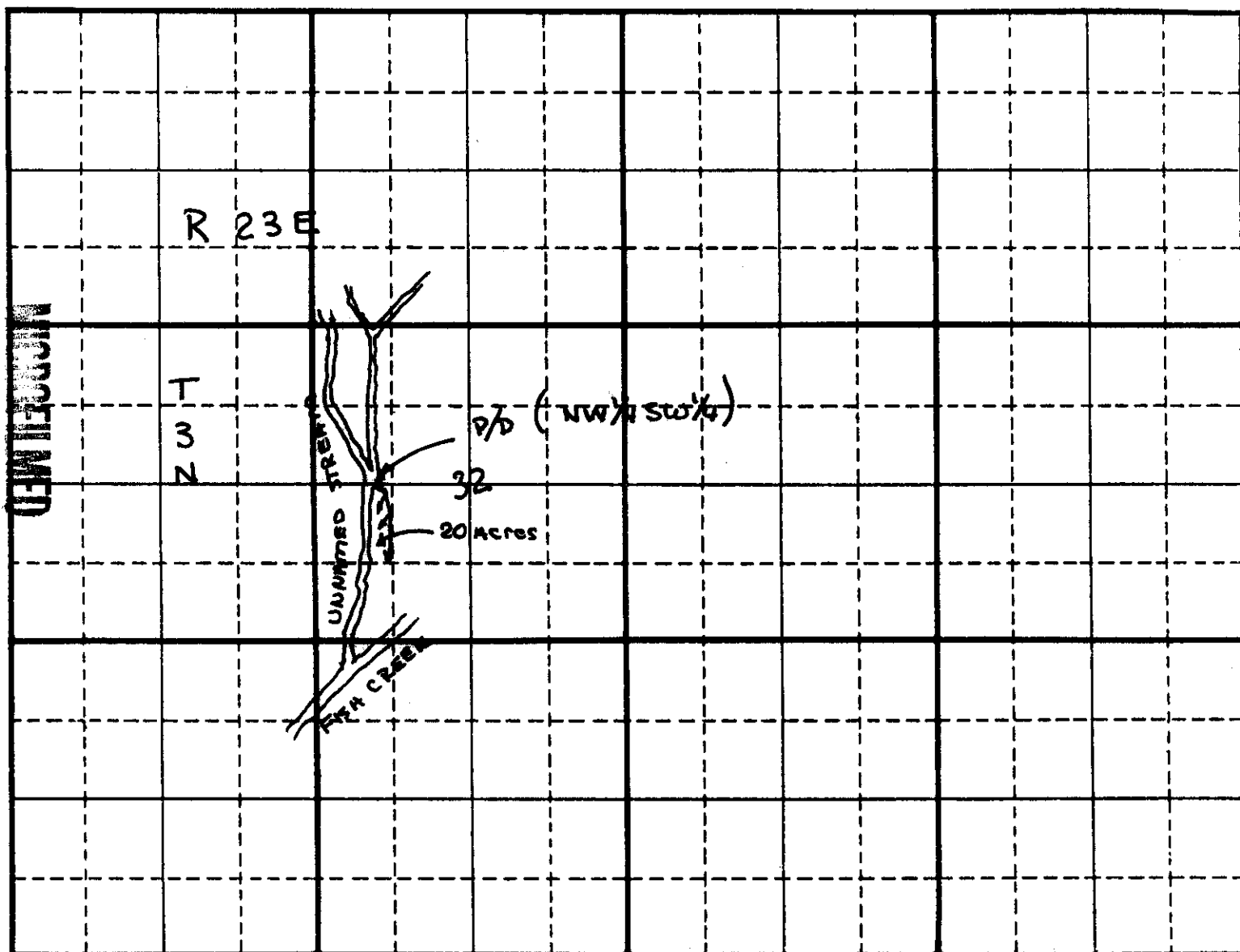
No. of acres 20

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

NOTE: Include here the type and number of stock watered: 2000 sheep - 200 cattle

(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 Blaine) 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.

John M. Enerson
(Claimant) (president)

Sworn to before me this 28TH day of JUNE, 1983.

John Johnson
Notary Public
Residing at Boise, IDAHO

My commission expires LIFE

6-30-83
FOR DEPARTMENT USE ONLY

Received by *muyc* Jim Date 6-28-83 Exception filed by: _____ Date _____
Prelim. check by Jim TB Date 6-28-83 # 27132 Fowarded to claimant by: _____
\$30.00 fee received by _____ Date _____
Published in *wood river journal* _____
Dates 9/1 9/15/83 _____

AFFIDAVIT , PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASBURN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 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 1 day of September

1983, and the date of the last publication was on the 8

day of September, 1983.

Subscribed and sworn to before me this 16th

day of September, 1983.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13

Number of Lines in Notice 30

Number of Insertions 2

Lines tabular at _____ 4¢ / Pica

30 Lines straight at _____ 3¢ / Pica

30 Subsequent lines at _____ 2¢ / Pica

TOTAL COST _____

COPY OF NOTICE

(Paste Here)

37-4394
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept Water Resources
BILL TO

That the following right to water right has been established by diversion and application to beneficial use:

37-4394

BISKAY LAND & LIVESTOCK CO., INC.

2409 Cherry Lane
Boise, Idaho 83705

Source: UNNAMED STREAM
tributary to FISH CREEK

Priority Date: 11/09/1979

Diversion Point: NWNW Sec 32 T 03N R 23E

Use: IRRIGATION 60.40 CFS

in: NWNW Sec 32 T 03N R 23E FOR 20 ACRES

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

Published
September

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

RECEIVED
No 2098

SEP 26 1983

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1601 Elm Lake Blvd. N.
Twin Falls, Idaho 83704
(208) 774-7572

SEPTEMBER 27, 1993

POOR QUALITY ORIGINAL

RISKAY LAND & LIVESTOCK CO., INC.
2400 CHERRY LANE
BOISE ID 83705

RE: Claim No. 37-4394

Dear Claimant:

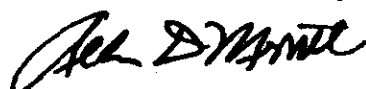
The Department of Water Resources has completed the advertising of your claim in a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our file and will be available at any time for use by you or the court.

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

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:

3Z-4394-

BISKAY LAND & LIVESTOCK CO., INC.

2400 CHERRY LANE, BOISE, ID 83705

Source: UNNAMED STREAM trib. to FISH CREEK

Priority Date: 11/06/1913

Diversion Pt: N4SW Sec 32 T 03N R 23E

Use: IRRIGATION (0.40 CFS)

In: N4SW Sec 32 T 03N R 23E FOR 20 ACRES

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

Published 9/1 & 9/8/83.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 18, 1983

Wood River Journal
P.O. Box 988
Hailer ID 83333

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 SEPTEMBER 15, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. C. Blau

Right Number 37-4394 Applicant BISKAY LAND & LIVESTOCK CO., 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.
- ☒ 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 ADm Date 9/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 11/1/83