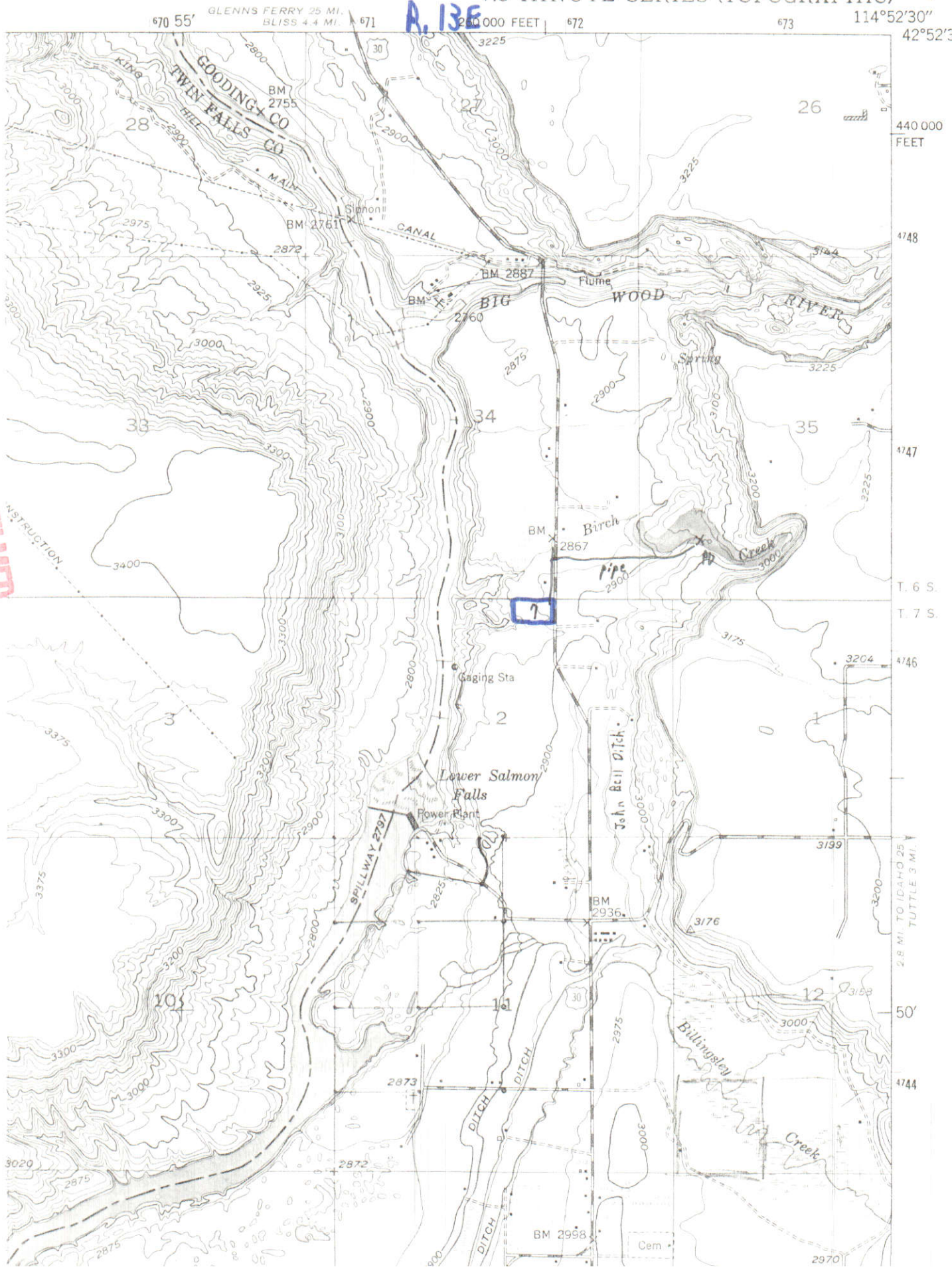


HAGERMAN QUADRANGLE IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

3069 IV NE
(GOODING BUTTE)



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 Elgan/ Douglas L. Elgan
(Name of Claimant)

P. O. Box 82, Gooding, ID 83330 Telephone No. 934-4509
(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) 1890

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 Birch 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.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.50 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) 0.50 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 35 Twp. 6S Rge. 13E 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. Describe any changes in the system and give the date of the change. Check dam & pipeline replaced original headgate & ditch in about 1970.
Same land is still watered (no acreage increase).

(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	
7S	13E	2			7														7
					Lt2														

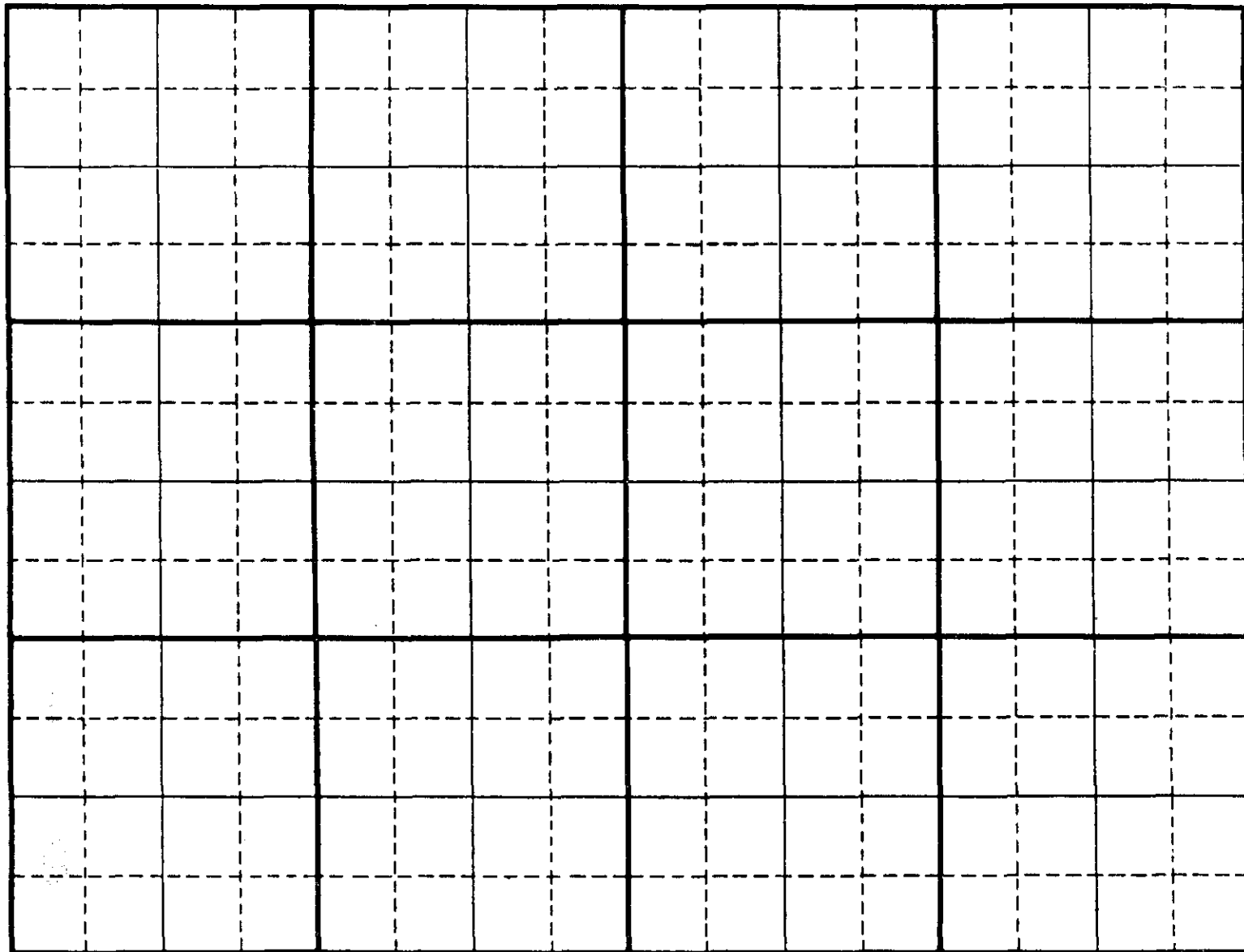
No. of acres 7

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 Flow rate is based on 20 11/64" Rainbird nozzles at 50 psi (gravity sprinkler system).



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)
) ss.
County of Twin Falls)

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 29th day of June, 19 83.

Douglas J. Edgar
(Claimant)

Loren O'Halloran
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

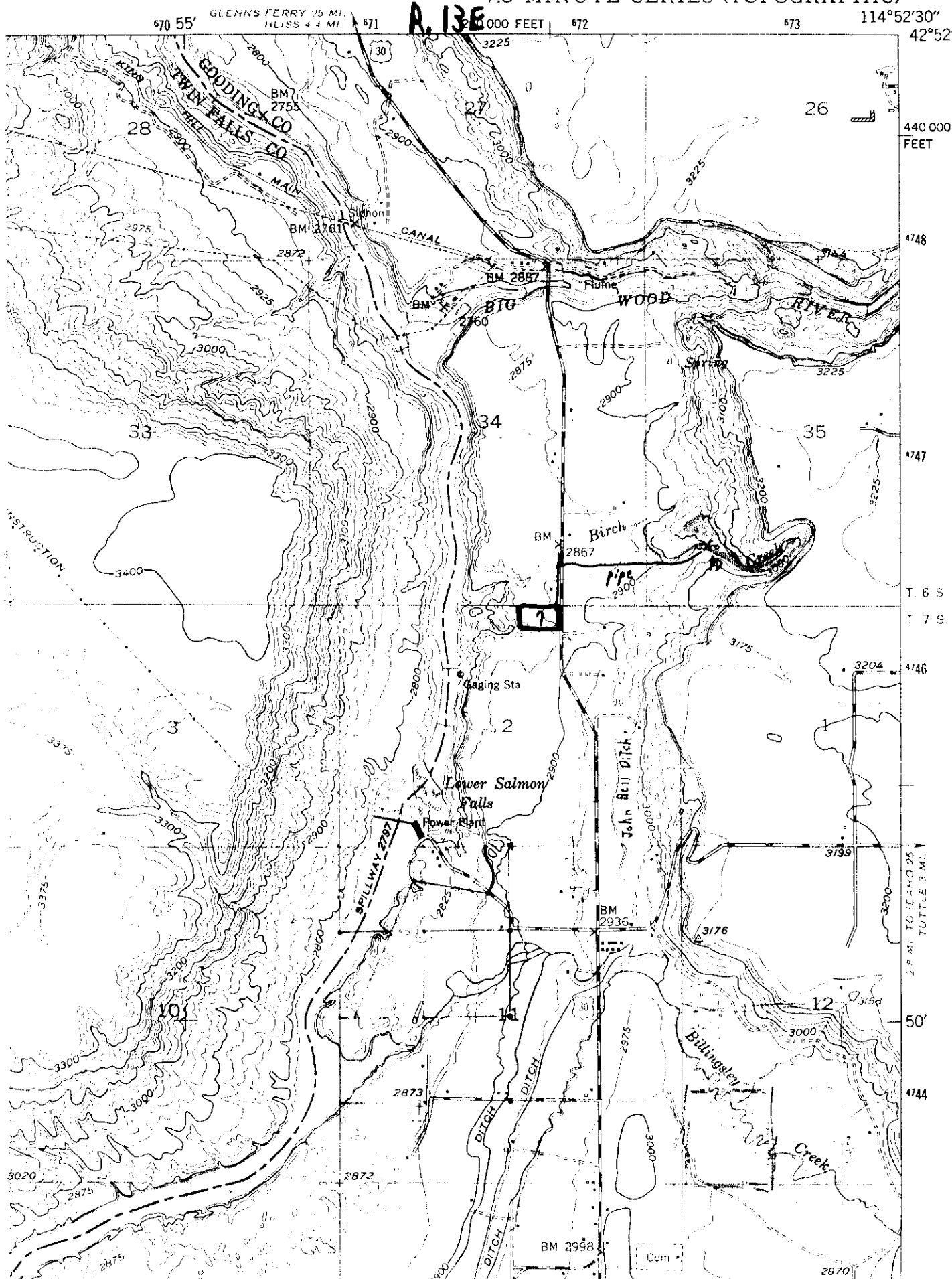
Received by J. E. Stanton Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by J. E. Stanton Date 6/30/83 claimant by: _____
\$30.00 fee received by J. E. Stanton Date 6-29-83 #29065
Published in Gooding Co. Leader _____
Dates 8/31 9/7/83 _____

HAGERMAN QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

3069 IV NE
(GOODING BUTTE)



AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Frank J. Crowl, 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 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 31 day of Aug 19 83, and the date of the last publication was on the 7 day of Sept 19 83

Subscribed and sworn to before me this 7 day of Sept 19 83
(SEAL.)

RECEIVED Cindy Davis
NOTARY PUBLIC

SEP 12 1983 GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION
By Anna District Office

Number of Lines in Notice. 284
Number of Insertions. 2
Lines tabular at 42' 284
Lines straight at 32' 90.88
Subsequent lines at 21' 59.64
Total Cost 150.52

COPY OF NOTICE

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:

37-4391

LAZY P FARMS, PART-
NERSHIP
C/O EMIL, RONALD, DER-
BRAH PAULS, RT. 2 BOX
88C, GOODING, ID 83330
Source: GROUNDWATER
Priority Date: 07/01/1984
Diversion Pt: SWNW Sec 15
T 06S R 15E

Use: IRRIGATION (0.06
CFS)
STOCKWATER (0.0880 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 16 T 06S R 15E
FOR 3 ACRES

37-4390

LAZY P FARMS, PART-
NERSHIP
C/O EMIL, RONALD, DER-
BRAH PAULS, RT. 2, BOX
88C, GOODING, ID 83330
Source: GROUNDWATER
Priority Date: 07/01/1918
Diversion Pt: SENW Sec 16
T 06S R 15E

Use: IRRIGATION (0.06
CFS)
STOCKWATER (0.0880 CFS)
DOMESTIC (0.08 CFS)
In: SENW Sec 16 T 06S R 15E
FOR 3 ACRES

37-4389

MECHAM, JUNE
STAR ROUTE, BLISS, ID
83014
Source: LOWER WAD-
DINGTON SPRING trib. to
STODDARD CREEK TO
SNAKE RIVER
Priority Date: 03/15/1888
Diversion Pt: NWNW NESW
Sec 27 T 06S R 13E
Use: STOCKWATER (0.50
CFS)

IRRIGATION (0.7280 CFS)
P STOCKWATER (0.7280 CFS)
DOMESTIC (0.50 CFS)
7 pt. per AESTHETICS (0.7280 CFS)
7 pt. per In: NWSW SWSW Sec 27 T
7 pt. per 06S R 13E FOR 3 ACRES
Inser 37-4388

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDE-
RAL BLDG., 324 25TH ST
OGDEN, UT 84401
Source: SPRINGS trib. to
WILD HORSE CREEK

No. Priority Date: 07/01/1980
Diversion Pt: NENE NWNE
Sec 15 T 01S R 10E
Use: STOCKWATER (0.2
AF)
In: NENE NWNE Sec 15 T
01S R 10E

37-4387
J.D. ALDECOA & SON, INC.
12 MESA VISTA DR.,
BOISE, ID 83703
Source: UNNAMED
STREAM trib. to CAMAS
CREEK

Priority Date: 01/01/1910
Diversion Pt: NENW NWNE
SWNE NESE Sec 09 T 01S R
11E NWNW SWNW NWSW
SWSW SESW Sec 10 T 01S R
11E
Use: IRRIGATION (0.20
CFS)
STOCKWATER (0.08 CFS)
DOMESTIC (0.04 CFS)
In: NWNE SWNE NENW
NESE Sec 09 T 01S R 11E
NWNW SWNW NWSW SW-
SW SESW Sec 10 T 01S R 11E
FOR 360 ACRES

37-4376
J.D. ALDECOA & SON, INC.
12 MESA VISTA DRIVE,
BOISE ID 83705
Source: UNNAMED
STREAMS trib. to CAMAS
CREEK
Priority Date: 01/01/1910
Diversion Pt: NWNE Sec 01
T 02S R 09E
Use: IRRIGATION (0.12
CFS)

STOCKWATER (0.08 CFS)
In: NWNE SWNE NESE
NWSE SWSE SESE Sec 01 T
02S R 09E FOR 240 ACRES

37-4376
PUGH WILLIAM L.
GREENFIELD, LYNN
763 S. POPLAR ST., ENG-
LEWOOD, CO 80112
Source: PREACHER
CREEK trib. to BIG WOOD
RIVER

Priority Date: 05/01/1957
Diversion Pt: SESE Sec 19 T
01S R 16E

Use: IRRIGATION (1.60
CFS)

STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SENE Sec 19 T 04S R 16E
NENW NWNW SWNW SE-
NW Sec 20 T 04S R 16E FOR
40 ACRES

37-4366
ELGAN, DOUGLAS L.
P.O. BOX 82, GOODING, ID
83330

Source: UNNAMED
STREAM trib. to BIRCH
CREEK

Priority Date: 04/01/1890
Diversion Pt: SWSW Sec 35 T
06S R 13E

Use: IRRIGATION (0.50
CFS)

In: LOT 02 (SWNE) Sec 02 T
07S R 13E FOR 7 ACRES

37-4365
SWENSON, EUGENE P.
STAR RT. BOX 34, BLISS,
ID 83314

Source: UNNAMED
STREAM trib. to BIRCH
CREEK

Priority Date: 04/01/1890
Diversion Pt: SWSW Sec 35 T
06S R 13E

Use: IRRIGATION (0.50
CFS)

In: SWSE Sec 34 T 06S R 13E
FOR 9 ACRES

37-4363
LEGUINECHE, LOUIE
RT. 1, GOODING, ID 83330
Source: DOG CREEK trib.
to BIG WOOD RIVER

Priority Date: 05/10/1915
Diversion Pt: NWSE Sec 11
T 05S R 14E

Use: IRRIGATION (0.80
CFS)

STOCKWATER (0.02 CFS)
In: NWSE Sec 11 T 05S R 14E
FOR 17 ACRES

37-4360
SHUTER, EUGENE &/or
CARRIE A.
RT. 1 BOX 140, KING HILL,
ID 83633

Source: GROUNDWATER
Priority Date: 01/01/1950
Diversion Pt: NWNW Sec 22
T 05S R 11E

Use: IRRIGATION (0.08
CFS)

STOCKWATER (0.02 CFS)
In: NWNE NWNW Sec 22 T
05 S R 11E FOR 4 ACRES

37-4359
BENNETT, EMMA M.
BOX 120, HILL CITY, ID
83337

Source: SPRING trib. to
MALAD CREEK

Priority Date: 07/01/1915
Diversion Pt: SESW Sec 28 T
01S R 11E

Use: IRRIGATION (4.20
CFS)

In: SWSW SESW Sec 28 T 01S
R 11E NWNE SWNE NENW
NWNW SWNW SENW
T 01S R 11E FOR 2

37-4358
FLETCHER, MELVIN E.
BOX 297, FAIRFIELD, ID
83327

Source: POWELL CREEK
trib. to SOLDIER CREEK
Priority Date: 04/19/1906

Diversion Pt: NWSE Sec 16
T 01N R 14E

Use: IRRIGATION (1.60
CFS)

In: NWSE SWSE Sec 16 T
01N R 14E FOR 80 ACRES

37-4357
MERRICK, ANITA &/or
JERRY
P.O. BOX 512, GOODING, ID
83330

Source: GROUNDWATER
Priority Date: 01/01/1910
Diversion Pt: SWSW Sec 28
T 05S R 15E

Use: STOCKWATER (0.40
CFS)

DOMESTIC (0.04 CFS)
In: SWSW Sec 28 T 05S R 15E

37-4355
U.S. DEPT. OF INTERIOR
BUREAU OF LAND

MGMT., 550 W. FORT ST.,
BOISE, ID 83724

Source: WILLOW SPRING
trib. to UNNAMED

STREAM

Priority Date: 09/01/1839
Diversion Pt: SWNW Sec 03
T 03S R 14E

Use: STOCKWATER (0.01
CFS)

WILDLIFE (0.01 CFS)

In: SWNW Sec 03 T 03S R 14E

37-4347
KOUTNIK, L. JAMES
P.O. BOX 178, GOODING, ID
83330

Source: BIG WOOD RIVER
trib. to MALAD RIVER

Priority Date: 05/01/1905
Diversion Pt: SESW Sec 25 T
05S R 14E

Use: IRRIGATION (1.50
CFS)

In: NENE NWNE SWNE
NENW Sec 27 T 05 S R 14E

SESW SWSE Sec 22 T 05S R
14E FOR 120 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.

/s/ A. KENNETH DUNN

Director

PUB: 8-31; 9-7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1641 Elm Lake Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3552

SEPTEMBER 23, 1987

DOUGLAS L. ELGAN
P.O. BOX 82
GOODING

ID 83301

POOR QUALITY ORIGINAL

RE: Claim No. 37-4366

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

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:

37-4366-

ELGAN, DOUGLAS L.

P.O. BOX 82, GOODING, ID 83330

Source: UNNAMED STREAM trib. to BIRCH CREEK

Priority Date: 04/01/1890

Diversion Pt: SWSW Sec 35 T 06S R 13E

Use: IRRIGATION (0.50 CFS)

In: LOT 02 (SWNE) Sec 02 T 07S R 13E FOR 7 ACRES

7708
11

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 8/31 & 9/7/83.

*AD
mays
8/31/83*

37-4346
ELGAN, DOUGLAS L.
P.O. BOX 82, GOODING, ID
83330
Source: UNNAMED
STREAM trib. to BIRCH
CREEK
Priority Date: 04/01/1890
Diversion Pt: SWSW Sec 35 T
06S R 13E
Use: IRRIGATION (0.50
CFS)
In: LOT 02 (SWNE) Sec 02 T
07S R 13E FOR 7 ACRES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 18, 1983

Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

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 SEPTEMBER 15, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: gdc

Right Number 37-4366 Applicant ELGAN, Douglas L.

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 ADN Date 9/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 11/1/83