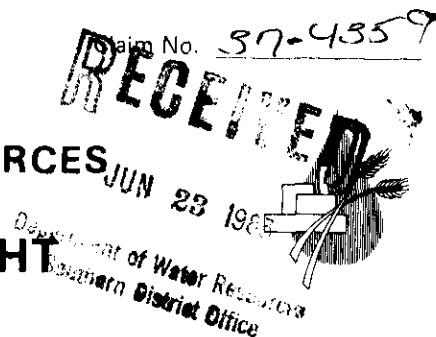


Hand-drawn diagram on graph paper showing a coordinate system with points labeled T, S, 10A, 40A, 30A, 40A, 15A, 15A, 40A, 20A, and 33. The diagram includes a vertical line labeled T, a horizontal line labeled S, and several points labeled with 'A' and numbers. A dashed line connects the points 10A, 40A, 30A, 40A, 15A, 15A, 40A, and 20A. The number 33 is written below the 40A and 20A points.

Received by 254 Date 6/14/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by MS Date 6/27/83 claimant by: _____
\$30.00 fee received by 254 Date 6/14/83 # 31008
Published in Gooding Co. Leader _____
Dates 5/31 - 6/12/83 _____

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 EMMA M. BENNETT

(Name of Claimant)

Box 120, Hill City, ID 83337

(Mailing Address)

Telephone No. 764-2398

(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) 7/1/1915

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)

spring tributary to Malad 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	4.2	Use irrigation	Period of Use From 4/15	To 10/15
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) 4.2 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE ¼ SW ¼, Sec. 28 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. 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	
1S	11E	28											10	40					50
		33		15	20		40	30	15	40									160

No. of acres 210

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:

Diagram illustrating a vertical line labeled T and S, with various horizontal lines and labels indicating measurements or positions. The labels include RME, 28, 10A, 40A, 15A, 30A, 40A, 20A, and 33.

Received by 2 K N Date 6/14/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by NS Date 6/27/83 claimant by: _____
\$30.00 fee received by 2 K N Date 6/14/83 # 31008
Published in Gooding Co. Leader
Dates 5/31 - 4/19/83

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

Frank J. Crowl

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

RECEIVED Cindy Dain
NOTARY PUBLIC

SEP 12 1983 GOODING COUNTY LEADER
Gooding, Idaho

Cost of Publication
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, PARTNERSHIP

C/O EMIL RONALD, DEBRA PAULS, RT. 2 BOX

GC, GOODING, ID 83330

Source: GROUNDWATER

Priority Date: 07/01/1941

Diversion Pt: SWNW Sec 16 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, PARTNERSHIP

C/O EMIL RONALD, DEBRA PAULS, RT. 2, BOX

GC, GOODING, ID 83330

Source: GROUNDWATER

Priority Date: 07/01/1916

Diversion Pt: SENW Sec 16 T 06S R 15E

Use: IRRIGATION (0.08 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

83314

Source: LOWER WADINGTON 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)

STOCKWATER (0.7280 CFS)

DOMESTIC (0.50 CFS)

AESTHETICS (0.7280 CFS)

In: NWSW SWSW Sec 27 T 06S R 13E FOR 8 ACRES

37-4388

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST

OGDEN, UT 84401

Source: SPRINGS trib. to

WILD HORSE CREEK

Priority Date: 07/01/1960

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.

22 MESA VISTA DR.,

BOISE, ID 83705

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 SW

SW SESW Sec 10 T 01S R 11E

FOR 360 ACRES

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

37-4331
J.D. ALDECOA & SON, INC.
12 MESA VISTA DRIVE,
BOIS 83705
Source: UNNAMED
STREAMS trib. to CAMAS
CREEK
Priority Date: 01/01/1919
Divers. on 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
7163 S. POPLAR ST., ENG-
LEWOOD, CO 80112
Source: PREACHER
CREEK trib. to BIG WOOD
RIVER
Priority Date: 05/01/1957
Divers. on Pt: SESE Sec 19 T
04S 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

37-4368
ELGAN, DOUGLAS L.
P.O. BOX 82, GOODING, ID
83330
Source: UNNAMED
STREAM trib. to BIRCH
CREEK
Priority Date: 04/01/1890
Divers. on 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
Divers. on 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
Divers. on 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
Divers. on Pt: NWNW Sec 22
T 06S 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
Divers. on 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 Sec 33
T 01S R 11E FOR 210 ACRES

37-4338
FLETCHER, MELVIN E.
BOX 297, FAIRFIELD, ID
83327
Source: POWELL CREEK
trib. to SOLDIER CREEK
Priority Date: 04/19/1906
Divers. on 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
Divers. on 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: 09/01/1939
Divers. on 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
Divers. on Pt: SESW Sec 25 T
06S 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

1044 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-7579

SEPTEMBER 23, 1987

EMMA M. BENNETT
BOX 120
HILL CITY

ID 83332

POOR QUALITY ORIGINAL

RE: Claim No. 37-4359

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:

32-4359-

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 NENE NWNW SWNW SENW
Sec 33 T 01S R 11E FOR 210 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 8/31 & 9/7/83.

RECEIVED

ok
manga
8/31/83

37-4280
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 Sec 33
T01S R 11E FOR 210 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: AS

Right Number 97-4359 Applicant BENNETT, Emma M.

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. Not on map.
- ☐ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
 - ☒ Claim published correctly.
 - ☒ Exceptions processed. None
- By ADM Date 9/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.
- By D.W. Date 11/1/83