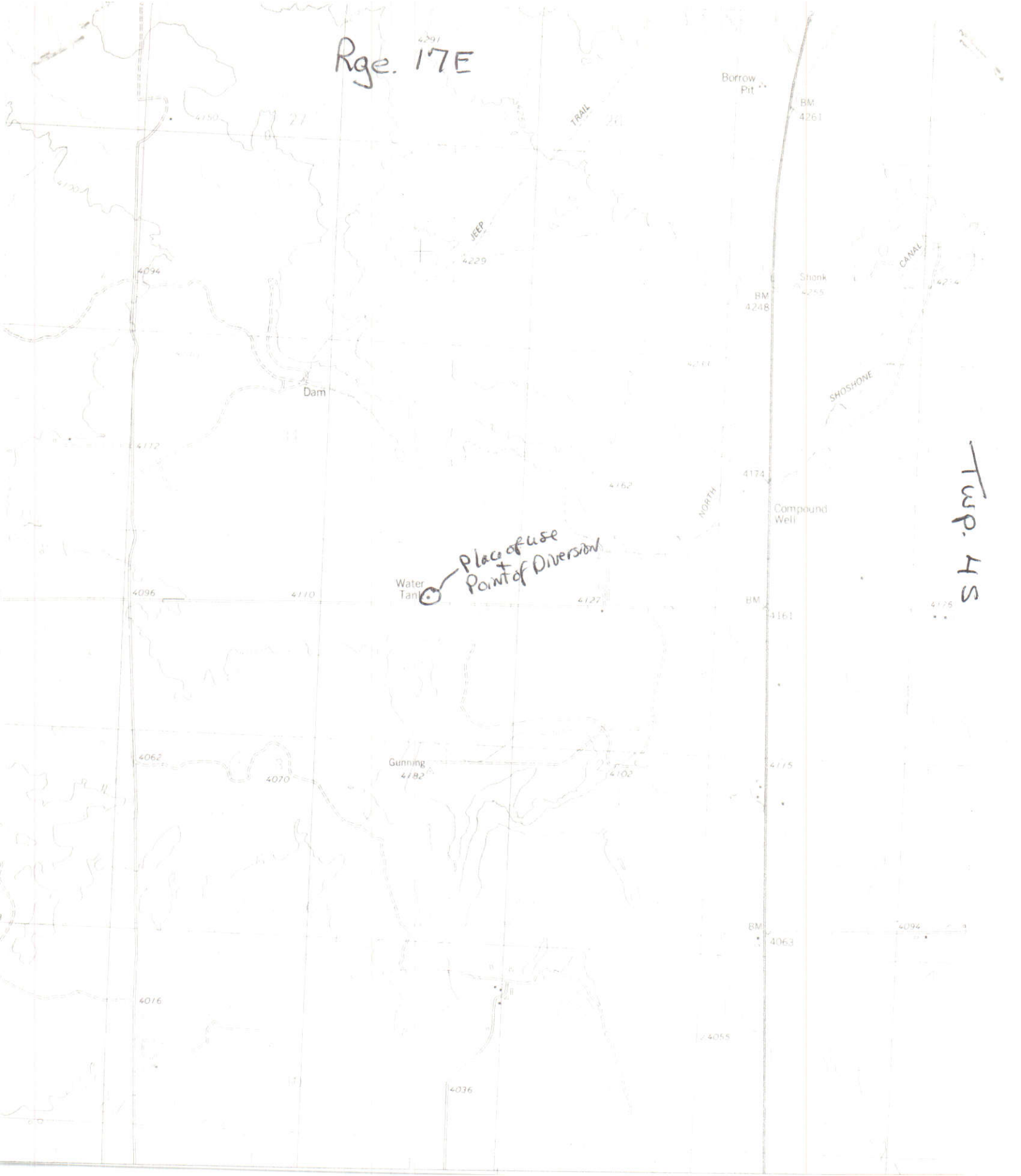


Rge. 17E



AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Lincoln } SS.

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 3 day of September, 1981, and the date of the last publication was on the 10 day of September, 1981.

Subscribed and sworn to before me this 10 day of September, 1981.
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

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SEP 14 LINCOLN COUNTY JOURNAL
Shoshone, Idaho

Department of **COST OF PUBLICATION**

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
32 Lines straight at 216 12.48
32 Subsequent lines at 15c 8.32
TOTAL COST 20.80

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COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

37-4189 Pendleton
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

LEGALS

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:

37-4189

CHARLES PENDLETON & SONS
BOX 674, SHOSHONE, ID 83352
Source: GROUNDWATER
Priority Date: 09/01/1917
Amount: 0.11 CFS
Diversion Point: SESE Sec 34 T 04S R 17E, LINCOLN Co.
Use: STOCKWATER (0.11 CFS) from 11/01 to 04/30
Place of Use: SESE Sec 34 T 04S R 17E
Diversion Means: WELL & PUMP
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: 9-3, 10, 1981

Nº 3462

RECEIVED
SEP 11 1981
Idaho Department of Water Resources
Twin Falls District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 12, 1991

CHARLES PENDLETON & SONS
BOX 674
SHOSHONE ID 83352

RE: Claim No. 37-4189

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,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

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 Charles Pendleton & Sons
(Name of Claimant)
Box 674 Shoshone, Idaho 83352 Telephone No. 886-7594
(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) Sept. 1, 1917

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)
groundwater 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.11</u>	Use	<u>stockwater</u>	Period of Use From <u>11-1</u>	To <u>4-30</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) 0.11 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 34 Twp. 4S Rge. 17E B.M., County of Lincoln
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. first pumped by windmill - converted to electric motor & pump 1957-10 HP motor w/pumpjack

(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	
4S	17E	34																X	

No. of acres _____

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: 6000 Sheep

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

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[illegible][illegible]

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.

Chas. Penetration
(Claimant)

Sworn to before me this 20 day of August, 19 81.

Mary A. Hice
Notary Public
Residing at Twin Falls, ID 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by TGB Date 8-20-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by H Date 8-20-81 claimant by: _____
\$30.00 fee received by TGB Date 8-20-81 # 19730
Published in Lincoln Co. Journal _____
Dates 9/3 + 9/10/81 _____

Rge. 17E

TRAIL

JEBB

4220

Dam

Borrow Pit

PM
4361

CANAL

Shrub

BM
4258

SHOSHONE

4131

NORTH

Compound Well

Place of use
Point of Diversion

Water Tank

4096

4110

4122

BM

4136

4062

4070

Gunning
4182

4100

4175

4016

BM

4063

4094

4074

4036

Twp. 4S

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Microfilm

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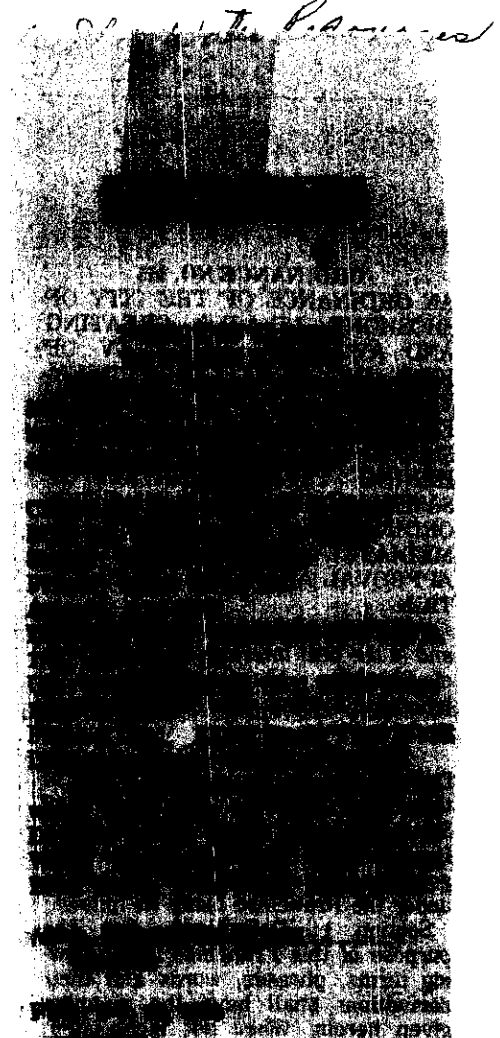
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A. KENNETH DUNN

Director

Published 9/3 & 9/10/81.

RECEIVED
SEP 13 1981

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 25, 1981

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

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 seller 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 20, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. P. Stanton

Right Number 37-4189 Applicant CHARLES PENDLETON & SONS

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. -None

By ADM Date 9/12/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KC Date 9/11/81

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