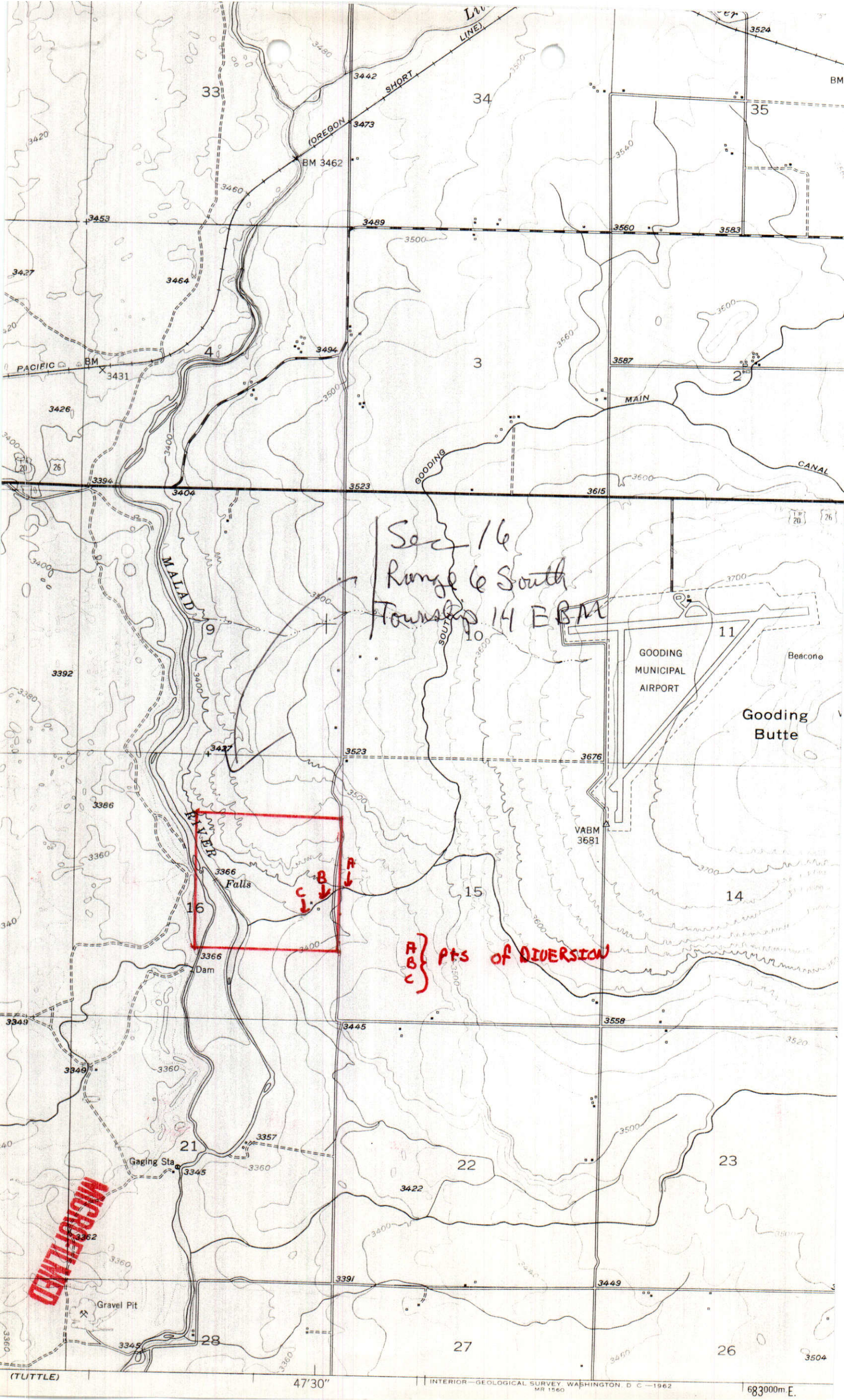
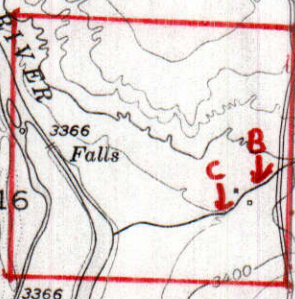


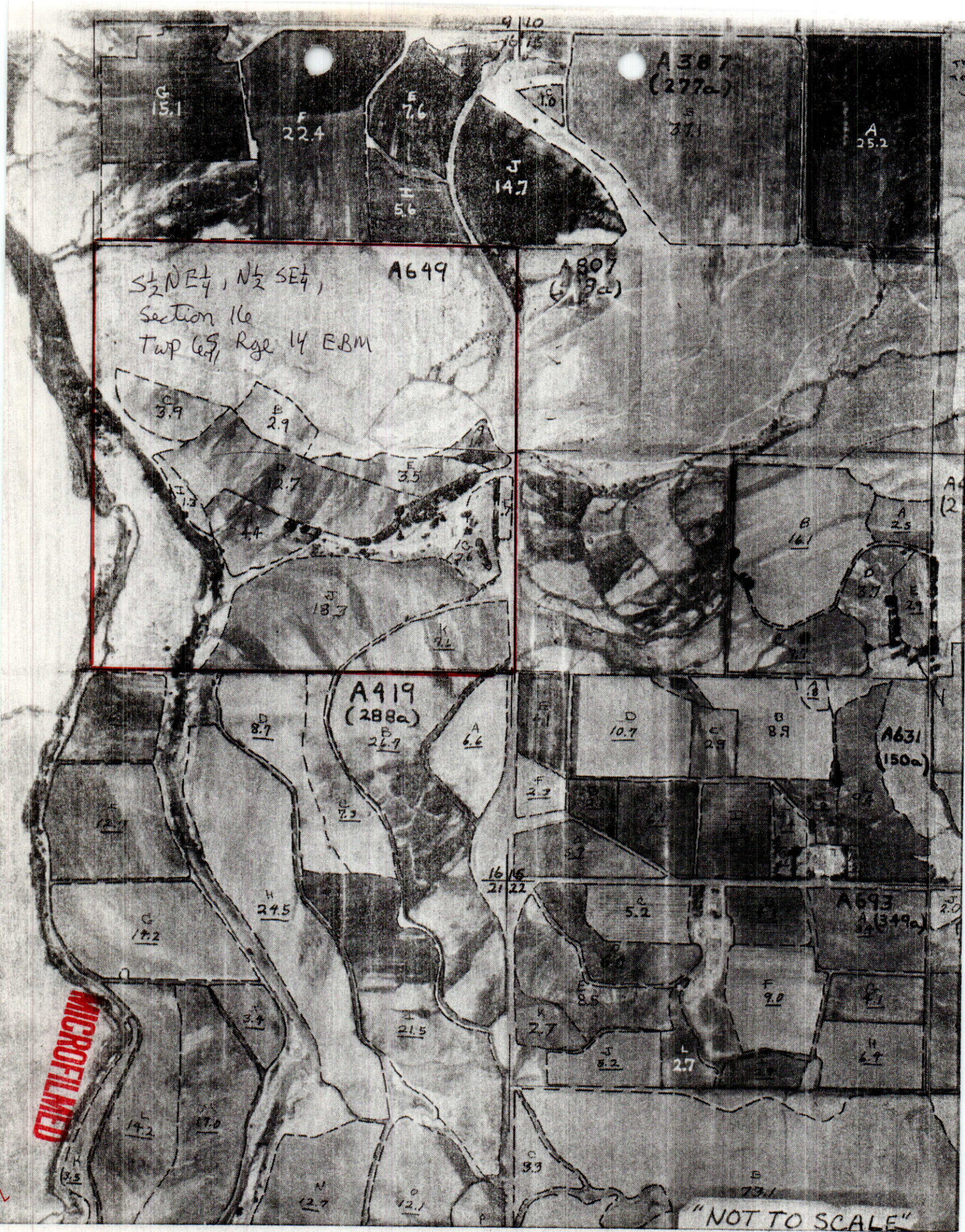


Sec 16
Range 6 South
Township 14 E BM



A
B
C } PTS OF DIVERSION

MICROFILMED



S 1/2 NE 1/4, N 1/2 SE 1/4,
Section 16
Twp 6S, Rge 14 EBM

A649

A807
(13a)

A419
(288a)

A631
(150a)

A693
(349a)

MICROFILMED

"NOT TO SCALE"

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gary Grosh, 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 22 day of April 1981, and the date of the last publication was on the 29 day of April, 1981.

Subscribed and sworn to before me this 29

day of April, 1981.
(SEAL)

W. A. Hagerman
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 72
Number of Insertions 2
Lines tabular at 38
Lines straight at 72 29 20.88
Subsequent lines at 72 19 13.68
TOTAL COST 34.56

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:

36-4115

PUGMIRE, DARWIN
RT. 1, HAGERMAN, ID 83332

Source: BILLINGSLEY CREEK tributary to SNAKE RIVER

Priority Date: 03/15/1935

Amount: 0.50 CFS

Diversion Point: SENE Sec

11 T 07S R 13E NESW Sec 14

T 07S R 13E (REDIVERSION), GOODING Co.

Use: IRRIGATION (0.50

CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS)

from 01/01 to 12/31

Place of Use: NESW Sec 14 T

07S R 13 E FOR 10 ACRES

Diversion Means: BUCK-

EYE DITCH

37-4166

LUTHER, CHARLES M.
RT. 2, GOODING, ID 83330

Source: WASTE WATER tributary to MALAD RIVER

Priority Date: 05/26/1955

Amount: 0.70 CFS

Diversion Point: NWSW Sec

15 T 06S R 14E, GOODING

Co.

Use: IRRIGATION (0.70

CFS) from 04/01 to 10/15

Place of Use: NWSW Sec 15

T 06S R 14E FOR 35 ACRES

Diversion Means: DIVER-

SION DAMS

37-4167

LUTHER, CHARLES M.
RT. 2, GOODING, ID 83330

Source: WASTE WATER tributary to MALAD RIVER

Priority Date: 04/25/1946

Amount: 1.20 CFS

Diversion Point: NESE Sec

16 T 06S R 14E NWSW Sec 15

T 06S R 14E, GOODING Co.

Use: IRRIGATION (1.20

CFS) from 04/01 to 10/15

Place of Use: SWNE SENE

NESE NWSE Sec 16 T 06S R

14E FOR 60 ACRES

Diversion Means: DIVER-

SION DAM

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/ C. STEPHEN ALLRED
Director

original in file 36-4115

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 M. Luther
(Name of Claimant)
Route #2, Gooding, Idaho 83330 Telephone No. 934-5153
(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) April 25, 1946

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) South Gooding Main and Lateral South Tail End of tributary to 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:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.2 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4-1</u>	To <u>10-15</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) 1.2 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 16 Twp. 6 S Rge. 14 E B.M., County of Gooding (2 Points)
Additional points of diversion: NW ¼ SW ¼, Sec 15 Twp 6 S Rge 14 EBM, Gooding County,
(One Point)

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. Diversion Dam

(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	
65	14E	16			10	2									35	13			60

Acreage estimated from enclosed ASCS photo map.

No. of acres 60

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

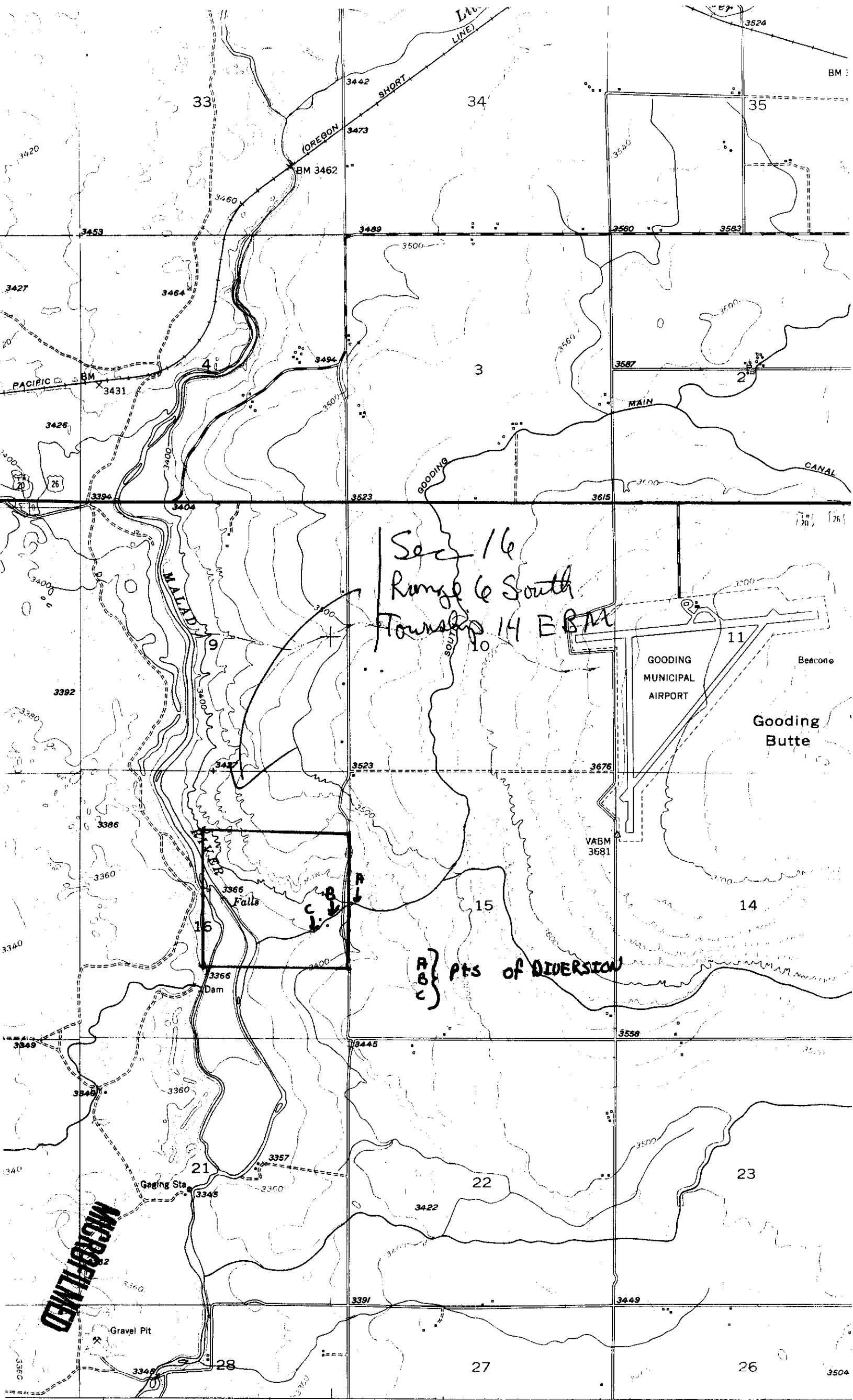
NOTE: Include here the type and number of stock watered: _____

If you are claiming water as a member of an organization, list name of organization: NA

MICROFILMED

[illegible]

Received by maria Date 3/8/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check OK Date 3-23-81 claimant by: _____
\$20.00 fee received by maria Date 3-24-81 #16922
Published in Goading Co. leader _____
Dates 3-24-81 _____



Sec 16
Range 6 South
Township 14 E B.M.

A
B
C } pts of DIVERSION

MICROFILMED



STATE OF IDAHO DEED

Number 117-1
Certificate No. 111

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the 13th..... day of APRIL..... 1942, all that tract or parcel of PUBLIC SCHOOL ENDOWMENT land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to
- EMERY E. BUNDY -
of GOODING....., State of IDAHO....., for the aggregate price of
-----FOUR HUNDRED AND NO/100-----
-----DOLLARS

And Whereas, the said sum of -----FOUR HUNDRED AND NO/100-----
-----DOLLARS
has been fully paid to the proper receiving officer for the State of Idaho, by CHARLES M. LUTHER, Route 2, Gooding, Idaho 83330, who acquired his interest by Assignment from J. F. Medford, dated February 14, 1955, recorded February 16, 1955; who acquired his interest by Assignment from Edward M. Harnees, dated February 14, 1955, recorded February 16, 1955; who acquired his interest by Assignment from Emery E. Bundy, dated September 30, 1945, recorded October 11, 1945.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

-----FOUR HUNDRED AND NO/100-----
-----DOLLARS
to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- CHARLES M. LUTHER -
His..... heirs and assigns, all of the said tract and parcel of land situated in the County of GOODING
and State of Idaho, and described as follows, to-wit:

86925

STATE OF IDAHO, COUNTY OF GOODING, ss.

Filed for record at the request of *Margaret F. Clements*
20 min. app. 9. of clock P. M. Oct 21. 1952.
at Dec 19 52.

MARGARET F. CLEMENTS Recorder
Margaret F. Clements Deputy

The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$)

Section Sixteen (16), Township Six (6) South, Range

Fourteen (14) East, B.M., containing Forty (40.0) acres,
more or less.

INDEXED

Direct ☒
Adm. ☒

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

- CHARLES M. LUTHER -

His..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1961 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including waste materials, pursuant to Sec. 47-701, Idaho Code; also reserved to the State are geothermal resources, including associated by-products. Said minerals being reserved are as shown on State of Idaho Land Sale Certificate No. 21112

In Witness Whereof, I..... JOHN V. EVANS....., the Governor of the State of Idaho, have herunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be herunto affixed, this 16th day of December, 1980 A.D.

Countersigned:

John V. Evans
Governor of Idaho

Countersigned:

John V. Evans
Director, Department of Lands

STATE OF IDAHO, } ss.
County of Ada, }

STATE OF IDAHO DEED

Number 11751
Certificate No. 22223

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the 5th..... day of JANUARY..... 1968, all that tract or parcel of PUBLIC SCHOOL ENDOWMENT land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- J. F. MEDFORD -

of GOODING....., State of IDAHO....., for the aggregate price of
-----TWO THOUSAND SEVENTY FIVE AND NO/100-----DOLLARS

And Whereas, the said sum of -----TWO THOUSAND SEVENTY FIVE AND NO/100-----DOLLARS

has been fully paid to the proper receiving officer for the State of Idaho, by CHARLES M. LUTHER, Route 2, Gooding, Idaho 83330, who acquired his interest by Assignment from J. F. Medford, dated February 14, 1955, recorded February 16, 1955.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

-----TWO THOUSAND SEVENTY FIVE AND NO/100-----DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- CHARLES M. LUTHER -

HIS..... heirs and assigns, all of the said tract and parcel of land situated in the County of GOODING and State of Idaho, and described as follows, to-wit:

86326

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
Section Sixteen (16), Township Six (6) South, Range
Fourteen (14) East, B.M., containing Forty (40.0) acres,
more or less.

STATE OF IDAHO, COUNTY OF GOODING, ss

Filed for record at the request of *Charles M. Luther*
21 min past 2 o'clock P.M. on 24 day
of Dec 19 68

MARGARET F. CLEMENTS Recorder
By *Burgin G. Galt* Deputy

INDEXED

Direct

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

- CHARLES M. LUTHER -

HIS..... heirs and assigns, in fee simple forever, subject to the provisions of Section 88-804, Idaho Code, as amended by Chapter 44, 1961 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatever kind or character, including underground waters pursuant to Sec. 47-701, Idaho Code; also reserved to the State are geothermal resources, including associated by-products. Said minerals being reserved are as shown on State of Idaho Land Sale Certificate No. 22223

In Witness Whereof, I.....JOHN V. EVANS....., the Governor of the State of Idaho, have herunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be herunto affixed, this 16th day of December, 1968 A.D.

Countersigned:

John V. Evans
Governor of Idaho

Countersigned:

Charles M. Luther
Deputy, Department of Land

STATE OF IDAHO,
County of Ada,

ss.

No. 125174

This Indenture, Made this 15th day of September in the year of our Lord one thousand nine hundred and fifty four, between Edw. M. Harness and Theora M. Harness, his wife,

of Corral County of Camas State of Idaho,

the part 1es of the first part, and J.F. Medford, a single man,

of Gooding County of Gooding State of Idaho,

the part y of the second part, WITNESSETH, That said part 1es of the first part, for and in consideration of the sum of Five Thousand Five Hundred & No/100 (\$5500.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm, unto the said part y of the second part, and to his heirs and assigns, forever, all the following described real estate situated in Gooding County/State of Idaho, to-wit:

North half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$),

Sec. 16, Twn. 6 S. R. 14 E.B.M.

Also, Southeast quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),

Sec. 16, Twn. 6 S.R. 14 E.B.M., the latter tract is being

purchased on contract from the State of Idaho and this convey-

ance is subject to the rights of the State therein.

(\$6.05 U.S.I.R. STAMPS ATTACHED AND CANCELLED)

MICROFILMED

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said part 1es of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever. And the said part 1es of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part 1es of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part 1es of the first part ha ve hereunto set their hand s and seal s, the day and year first above written.

Signed, Sealed and Delivered in the Presence of -

EDW. M. HARNESS (SEAL)

THEORA M. HARNESS (SEAL)

STATE OF IDAHO,

County of Gooding

before me, Branch Bird

personally appeared

Edw. M. Harness & Theora M. Harness, his wife,

known to me to be the persons whose name s are

executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

BRANCH BIRD

Notary Public for the State of Idaho,
Residing at Gooding, Idaho

(NOTARY SEAL)

STATE of IDAHO)	
COUNTY of GOODING) SS	
I hereby certify that the foregoing is a true copy of the original instrument on file in my office.	
Dated 1 - 23 19 81	
MARGARET F. CLEMENTS	
District Court Clerk	
By Judy Wambles	
Deputy Clerk	

Recorded at the request of Security Title Company
at 1:35 o'clock P. M., this 30th day of September
Fee, \$1.50

A. D. 19 54

Bart Bowler

County Recorder.

By Dorothy Robbins Deputy.

This Indenture, Made ~~this~~ the 17th day of September in the year of our Lord one thousand nine hundred and fifty-four, between J.F. Medford, a single man during full period of ownership of the property hereby deeded, of Gooding County of Gooding State of Idaho the part Y of the first part, and C.M. Luther, a single man

of Gooding, County of Gooding, State of Idaho the part 1ss of the second part,

WITNESSETH, That said part Y of the first part, for and in consideration of the sum of Ten Thousand and no/100 DOLLARS, lawful money of the United States of America, to him in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, ha s granted, bargained and sold, and by these presents do ss grant, bargain, sell, convey and confirm, unto the said part Y of the second part, and to his heirs and assigns, forever, all the following described real estate situated in Gooding County, State of Idaho, to-wit:

N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 16, Township 6 South Range 14 E.B.M.

together with all water and water rights appurtenant thereto

(\$11.10 U.S.I.R. STAMPS ATTACHED AND CANCELLED)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said part Y of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to his heirs and assigns forever. And the said part Y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part Y of the second part, his heirs and assigns, against the said part Y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part Y of the first part ha s hereunto set his hand and seal, the day and year first above written.

J.F. MEDFORD

STATE OF IDAHO, } ss. On this 17th day of September in the year 1954, County of Gooding before me, M.F. RYAN, a Notary Public in and for said County, personally appeared J.F. Medford, a single man known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Dec. 11, 1954

(NOTARY SEAL)

M.F. RYAN

Notary Public in and for the State of Idaho residing at Gooding, Idaho

MARGARET F. CLEMENTS
Clerk Of The District Court
Gooding County Auditor And Recorder
Box 417
Gooding, Idaho 83330

STATE of IDAHO)
COUNTY of GOODING) SS
I hereby certify that the foregoing is a true copy of the original instrument on file in my office.
Dated 1-23-1955
MARGARET F. CLEMENTS
District Court Clerk
By: Judy Daubner
Deputy Clerk

Recorded at the request of C.M. Luther at 3:30 o'clock P.M., this 14th day of February A.D. 19 55
Fee, \$ 1.50

By Dorothy Robbins Deputy.

Bart Bowler
County Recorder.

AFFIDAVIT

STATE OF IDAHO)
) SS.
County of Gooding)

Clyde Medford, being first duly sworn deposes and says:

1. That he is the son of J. F. Medford.

2. That as of January 1, 1946, J. F. Medford was the owner of or purchasing on a contract the following described real property, to-wit:

South one-half of the Northeast quarter (S½NE¼), and the North one-half of the Southeast quarter (N½SE¼) Section 16, Township 6 South, Range 14 East, Boise Meridian.

3. That J. F. Medford irrigated those parts of the above-described real property that are presently in cultivation, by using waste water off of the South Gooding Main and Lateral South Tail-end, during the farming season of 1946, and thereafter until such time he sold the said real property to C. M. Luther.

DATED this 13th day of March, 1981.

Clyde Medford

STATE OF IDAHO)
) SS.
County of Gooding)

On this 13th day of March, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared CLYDE MEDFORD known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the day and year first above written.

John C. Johnson
Notary Public for the State of Idaho
Residing at Gooding, Idaho

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gary Grosh 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 22 day of April 1981, and the date of the last publication was on the 29 day of April, 1981

Subscribed and sworn to before me this 29 day of April, 1981.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice 72
Number of Insertions 2
Lines tabular at 38
Lines straight at 7.2 29 20.88
Subsequent lines at 7.2 19 13.68
TOTAL COST 34.56

COPY OF NOTICE

[Signature]
LUTHER, CHARLES M.
RT. 2, GOODING, ID 8330
Source: WASTE WATER
tributary to MALAD RIVER
Priority Date: 04/15/81
Amount: 1.30 CFS
Diversion Point: NWSE Sec
15 T 08S R 14E COODING Co.
Use: IRRIGATION (1.30
CFS) from 04/15 to 04/15
Place of Use: NWSE Sec 15
T 08S R 14E COODING Co.
Diversion Point: SEVER-
SION DAM

LUTHER, CHARLES M.
RT. 2, GOODING, ID 8330
Source: WASTE WATER
tributary to MALAD RIVER
Priority Date: 04/15/81
Amount: 1.30 CFS
Diversion Point: NWSE Sec
15 T 08S R 14E COODING Co.
Use: IRRIGATION (1.30
CFS) from 04/15 to 04/15
Place of Use: NWSE Sec 15
T 08S R 14E COODING Co.
Diversion Point: SEVER-
SION DAM

Any person who may
claim a right in any
thing herein may be
sued for damages in the
State of Idaho.

original in file 36-4115

WATER RIGHT NUMBER 37-4167

OWNER LAST NAME - LUTHER

FIRST NAME - CHARLES M.

ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GOODING

STATE - ID ZIP CODE - 83330

SOURCE - WASTE WATER

TRIBUTARY OF - MALAD RIVER

STAGE - STATRY CLM

STATUS -

PRIORITY - 04-25-1946 COUNTY - GOODING

TOTAL DIV. RATE - 1.2000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFP/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESE 16 06S 14E LOT

REDIV -

NWSN 15 06S 14E LOT

REDIV -

FROM - 04-01 TO - 10-15 USE - IRRIGATION

USE DIV. RATE -

1.2000 CFS USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - T&N 06S R&G 14E SEC 16

TRACT SWNE LOT

AC 10 TRACT

SENE LOT

AC 02

TRACT NESE LOT

AC 35 TRACT

NWSN LOT

AC 13

DECREE NAME -

DATE -

TOTAL ACRES

60

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - DIVERSION DAM

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 11, 1981

CHARLES M. LUTHER

RT. 2

GOODING

ID 83330

RE: Claim No. 37-4167

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
LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

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:

32-416Z-

LUTHER, CHARLES M.

RT. 2, GOODING, ID 83330

Source: WASTE WATER tributary to MALAD RIVER

Priority Date: 04/25/1946

Amount: 1.20 CFS

Diversion Point: NESE Sec 16 T 06S R 14E NWSW Sec 15 T 06S R 14E,
GOODING Co.

Use: IRRIGATION (1.20 CFS) from 04/01 to 10/15

Place of Use: SWNE SENE NESE NWSE Sec 16 T 06S R 14E FOR 60 ACRES

Diversion Means: DIVERSION DAM

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.

C. STEPHEN ALLRED

Director

Published 4/22 & 4/29/81.

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37-4167

LUTHER, CHARLES M.
RT. 2, GOODING, ID 83330
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Blvd. North, Twin Falls,
Idaho 83301.

/s/ C. STEPHEN ALLRED
Director

Pub: 4-22, 29, 1981

ok
merge
4/16/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 8, 1981

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 MAY 11, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

IDENT. NO. 36-4167

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

March 25, 1981

John C. Arkoosh
Attorney at Law
237 Main
Gooding, Idaho 83330

Re: Claim to a Water Right No. 37-4167 - 37-4166

Dear Mr. Arkoosh:

Enclosed is your receipt No. 16922 for check No. 92-77 in the amount of \$60.00 for the above referenced Claims you filed in behalf of Charles M. Luther and were receipted in our office March 24, 1981.

If you have questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 37- Applicant LUTHER, Charles 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.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By Adm Date 5/11/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 5/12/81

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04/22/81

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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36-7977	M & S FARMS C/O JACK MC CALL P.O. BOX 1585 TWIN FALLS	04-07-1981	IRRIGATION	03-15 11-15	2.00 CFS	SESE S25 T09S R19E		APPLICATION
	ID 83301		TRIBUTARY:	SINKS				
	SOURCE: WASTE WATER			SESE(40)				
	P/U: T09S R19E S25 NESE(40)			LT08 (SESW)(40)				
	P/U: T09S R20E S30 LT07 (SWSW)(28)							

* 148 ACRES*

37-4166	LUTHER, CHARLES M. RT. 2 GOODING	05-26-1955	IRRIGATION	04-01 10-15	.70 CFS	NWS# S15 T06S R14E	NWSW(35) S15 T06S R14E	STATRY CLM
	ID 83330		TRIBUTARY:	MALAD RIVER				

* 35 ACRES*

37-4167	LUTHER, CHARLES M. RT. 2 GOODING	04-25-1946	IRRIGATION	04-01 10-15	1.20 CFS	NESE S16 T06S R14E	SWNE(10) SENE(02) NESE(35) NWSE(13) NWSW S15 S16 T06S R14E T06S R14E	STATRY CLM
	ID 83330		TRIBUTARY:	MALAD RIVER				

* 60 ACRES*

37-4168	FINK, RICHARD A. FINK, JOYCE A. RT. 1 BOX 34A GOODING	04-01-1940	IRRIGATION	04-01 11-01	1.50 CFS	SWNE S23 T05S R14E	SWNE(14) S23 T05S R14E	STATRY CLM
	ID 83330		TRIBUTARY:	BUTLER DITCH				

* 14 ACRES*

37-7884	JONES, EDWARD L. JONES, CONSTANCE A. RT. 2 BOX 39B GOODING	02-19-1981	IRRIGATION	04-01 11-01	6.72 CFS	SWSE S32 T05S R16E		APPLICATION
	ID 83330		TRIBUTARY:					
	SOURCE: GROUNDWATER							
	OTHER USES: S/100 DAIRY							
	REMARKS: 37-CA-20							
	P/U: T05S R16E S32 SESW(40)			NWSE(40)		SWSE(40)	SESE(40)	
	S33 SWSW(40)							
	P/U: T06S R16E S05 LT02 (NWNE)(48)			LT03 (NENW)(48)				

* 336 ACRES*

STOCKWATER 01-01 12-31

.07 CFS

SAME AS OTHER USE

* ---*AFA
* 6.79*CFS

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