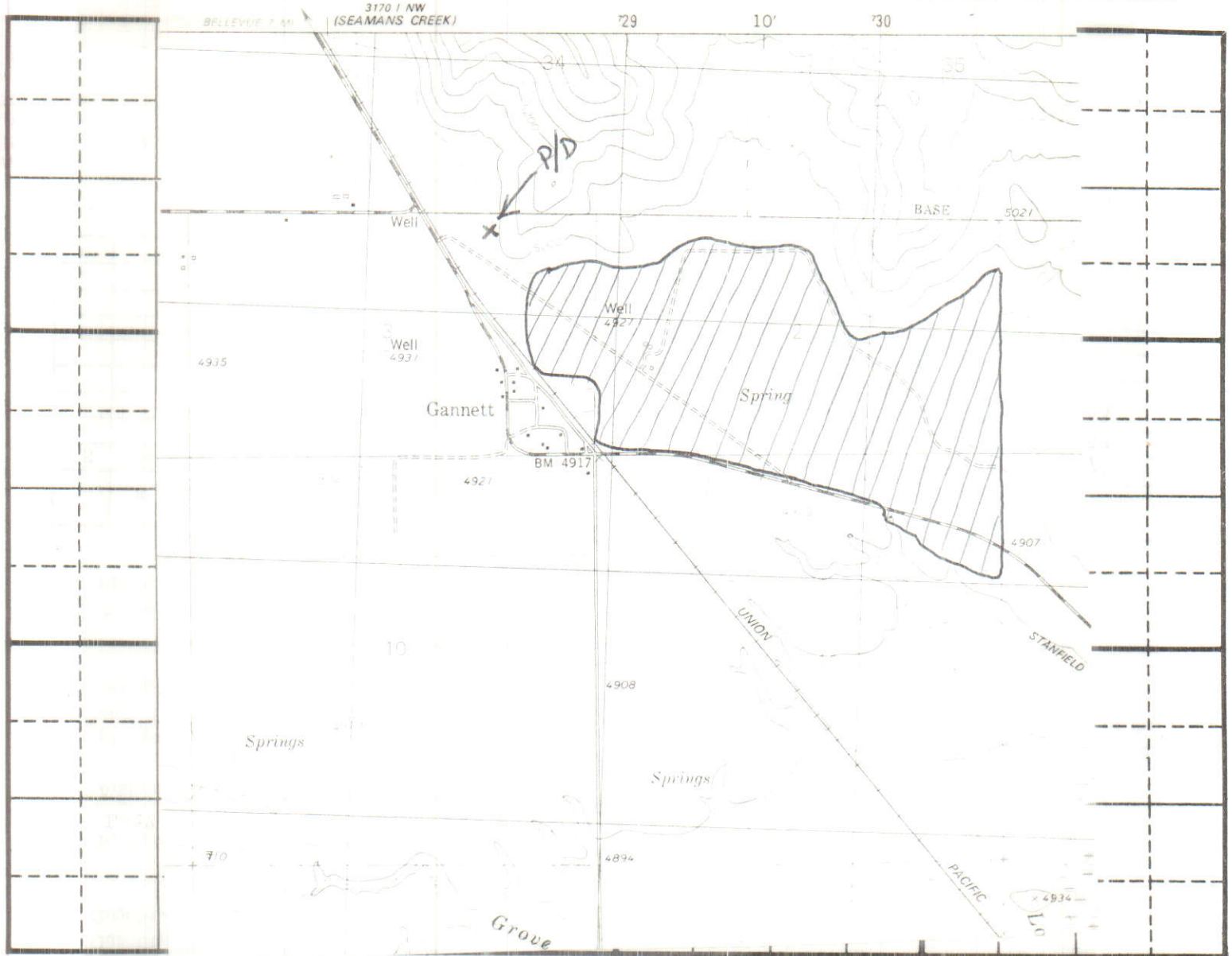


(8) Remarks



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 Lewis & Clark) 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.

Sworn to before me this 11 day of June, 19 80

Halbrook Muel
(Claimant)

Notary Public
Residing at Vanessa

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>6/11/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JP</u>	Date <u>6-15-80</u>		claimant by:	
\$20.00 fee received by <u>ADM</u>	Date <u>6/11/80</u>	#16465		
Published in <u>Wood River Journal</u>				
Dates <u>7/13 & 7/10</u>				

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 3 day of July

19 80, and the date of the last publication was on the 10

day of July, 19 80.

Subscribed and sworn to before me this 16th

day of July, 19 80.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 12

Number of Lines in Notice 36

Number of Insertions 2

Lines tabular at _____ 4¢ / Pica

36 Lines straight at 12.96 3¢ / Pica

36 Subsequent lines at 8.64 2¢ / Pica

TOTAL COST 21.60

COPY OF NOTICE

(Paste Here)

Permit 37-4142
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of 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:

37-4142

MASLEN, HOLBROOK
P.O. Box 1723, Sun Valley, Idaho
83353

Source: WASTE WATER tributary
to LOVING CREEK

Priority Date: 0430/1931

Amount: 4.72 CFS

Diversion Point: LOT 02 Sec 03 T
015R 19E, Blaine Co.

Use: IRRIGATION (4.60 CFS) from
0430 to 1031

STOCKWATER (0.12 CFS) from
0101 to 1231

Place of Use: NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE Sec 02 T 01S R 19E, NESE
SESE Sec 03 T 01S R 19E, NENE
NWNW Sec. 11 T 01S R 19E
FOR 374 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.

C. STEHEN ALLRED
Director

Publish: Wood River Journal--July
3rd & 10th, 1980.

NO 044

JUL 21 1980

Department of Water Resources
Southern District Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

This is to certify that: **GERALD B BASHAW**
AUDREY BASHAW
195 E MORGAN STREET
PERRIS CA 92370

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00125 :			
IRRIGATION	04/15 to 10/15	0.20 CFS	72.6 AF
Priority: 04/01/1884			
* Right No. 37-04142 :			
IRRIGATION	04/15 to 10/15	4.60 CFS	1309.0 AF
STOCKWATER	01/01 to 12/31	0.12 CFS	6.0 AF
Priority: 04/30/1931			
		<u>4.72 CFS</u>	<u>1315.0 AF</u>
Right No. 37-30000H :			
IRRIGATION	04/15 to 10/15	0.69 CFS	250.5 AF
Priority: 03/24/1883			
	TOTAL:	<u>5.61 CFS</u>	<u>1638.1 AF</u>

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 37-00125 :	
LOVING CREEK	SILVER CREEK
Right No. 37-04142 :	
WASTE WATER	LOVING CREEK
Right No. 37-30000H :	
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-00125 :	SWSE , Sec. 2, Township 01S, Range 19E
Right No. 37-04142 :	Lot 2(SWNE), Sec. 3, Township 01S, Range 19E
Right No. 37-30000H :	SWNW , Sec. 36, Township 02N, Range 18E BLAINE County

MICROFILMED

FEB 05 1999

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	19E	34		NESE 16		SESE 20			36
		35		NWSW 19		SWSW 35			54
01S	19E	2	Lot 2 (SWNE)	15	Lot 3 (SENW)	5	NESW	40	
				NWSW 33		SWSW 35	SESW	25	
				NESE 25		NWSE 18	SWSE	10	
				SESE 40					246
		3	Lot 2 (SWNE)	8	NESE	30	NWSE	3	
				SESE 4					45
		11		NENE 35	NENW	3	NWNW	15	53
Total number of acres irrigated:									** 434

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under these water rights will be regulated by the watermaster of State Water District Nos. 37 and 37M.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 7. Right 37-00125 is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
- ** 8. Right 37-04142 is limited to the irrigation of 374.0 acres within the place of use described above in a single irrigation season.
- ** 9. Right 37-30000H is limited to the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 10. Rights 37-04142 and 37-30000H when combined shall not exceed the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 11. Rights 37-00125, 37-04142 and 37-30000H when combined shall not exceed the irrigation of 423.0 acres within the place of use described above in a single irrigation season.

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FEB 05 1999

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Approval of Transfer 4678 does not confirm claimed Right 37-04142.
- 13. Approval of Transfer 4678 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 13th day of January, 1999

J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

FEB 05 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 25, 1980

HOLBROOK MASLEN
P. O. BOX 1723
SUN VALLEY ID 83353

RE: Claim No. 37-4142

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 11 1980

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

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 Holbrook Maslen
(Name of Claimant)
P.O. Box 1723, Sun Valley, Idaho, 83353 Telephone No. 622-8510
(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 30, 1931

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)
Waste Water tributary to Loving 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>4.60 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 30</u>	To <u>Oct. 31</u>
Quantity	<u>0.12 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 4.72 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 2 1/4 Sec. 3 Twp. 1 S Rge. 19 E 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. Wooden Headgate diverting to an earthen ditch.

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1S	19E	2									40	33	39	39	25	18	40	40	274
		3													30			7	37
		11	35	20			8												63

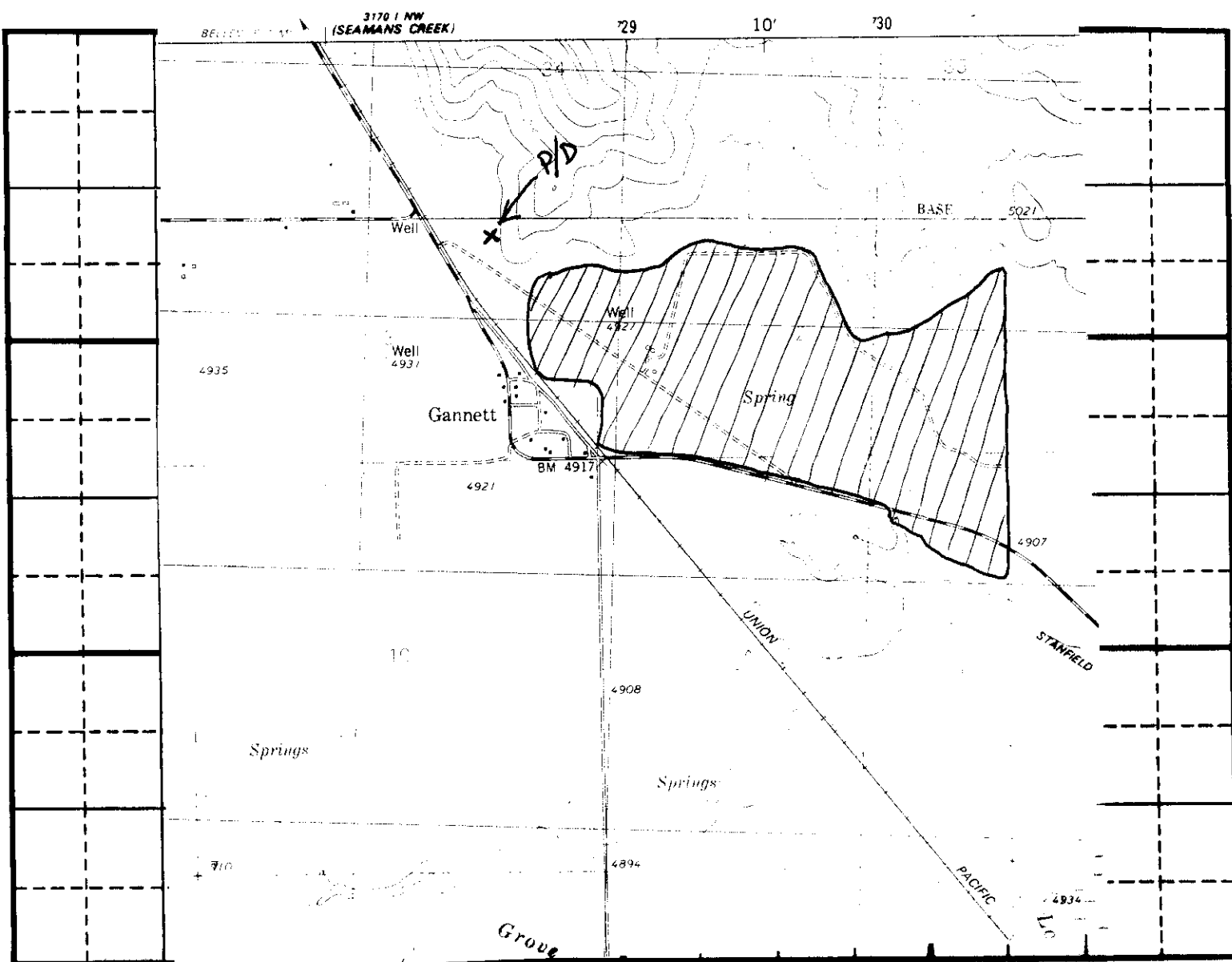
No. of acres 374

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: 450 Range 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 Lewis & Clark) 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.

Sworn to before me this 11 day of June, 1980.

Halbrook T. T. T.
(Claimant)

Ed. B. B.
Notary Public
Residing at Bozeman

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>6/11/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>6-16-80</u>		claimant by:	
\$20.00 fee received by <u>ADM</u>	Date <u>6/11/80</u>	#16465		
Published in <u>Wood River Journal</u>				
Dates <u>7/15 + 7/16</u>				

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 3 day of July, 1980, and the date of the last publication was on the 10 day of July, 1980.

Subscribed and sworn to before me this 16th

day of July, 1980.
(SEAL)

Roberta Proffner
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 12

Number of Lines in Notice 36

Number of Insertions 2

Lines tabular at 36 4c / Pica

36 Lines straight at 12.96 3c / Pica

36 Subsequent lines at 8.64 2c / Pica

TOTAL COST 21.60

COPY OF NOTICE

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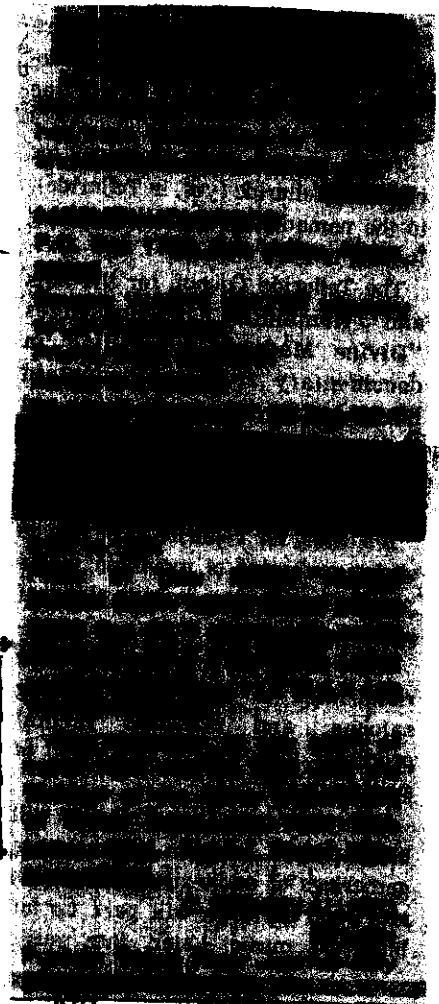
Permit 375442
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO



NO 0-214

Department of Water Resources
Southern District Office

RECEIVED

MEMORANDUM

TO: Files 37-00125, 37-04142 & 37-30000H

FROM: Pam Skaggs^P/State Office

SUBJECT: Transfer 4678

DATE: January 13, 1999

Transfer 4678 changes the place of use under all of Rights 37-00125 and 37-04142, and a portion of Right 37-30000E, splitting the right into Parts G and H. The transfer identifies the surface water rights used in combination with groundwater under Right 37-04141 (See companion Transfer 4660), creating 434 acre permissible place of use.

The points of diversion under each right are modified through the transfer to reflect the current system. The source under Right 37-00125 is also changed from Silver Creek to Loving Creek, which is tributary to Silver Creek. From review of the map and the decreed place of use, it would appear that Loving Creek was always the source since the place of use is well above the confluence of Loving Creek and Silver Creek. The SRBA claim also identifies Loving Creek as the source.

There is some concern about the actual historical use under these rights that will be addressed through the adjudication process. The total irrigated acres under all rights has been identified by region review as 423.0 acres. The validity of all rights are subject to review by the SRBA and this transfer approval does not confirm statutory claim 37-04142.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring & lockable devices, irrigation overlap, permissible place of use, combined right limits, non-confirmation of claim, right-of-way and standard transfer conditions.

MICROFILMED
FEB 05 1999

MEMORANDUM

TO: FILE 37-04142

FROM: PAM SKAGGS

RE: TRANSFER # _____

DATE: 5/23/95

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
File # 37-00125.

MICROFILMED

FEB 05 1999

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

Right Number 37-4142 Applicant MASLEN, Holbrook

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 Loren O. Halmer Date 7-21-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Murphy Date 7/24/80

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:

32-4142

MASLEN, HOLBROOK

P. O. BOX 1723, SUN VALLEY, ID 83353

Source: WASTE WATER tributary to LOVING CREEK

Priority Date: 04/30/1931

Amount: 4.72 CFS

Diversion Point: LOT 02 Sec 03 T 01S R 19E, BLAINE Co.

Use: IRRIGATION (4.60 CFS) from 04/30 to 10/31
STOCKWATER (0.12 CFS) from 01/01 to 12/31

Place of Use: NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 02 T 01S R 19E NESE
SESE Sec 03 T 01S R 19E NENE NWNE NENW Sec 11 T 01S R 19E
FOR 374 ACRES

Diversion Means: DITCHES.

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 7/03 & 7/10.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 25, 1980

Wood River Journal
P.O.Box 988
Hailey 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 JULY 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED