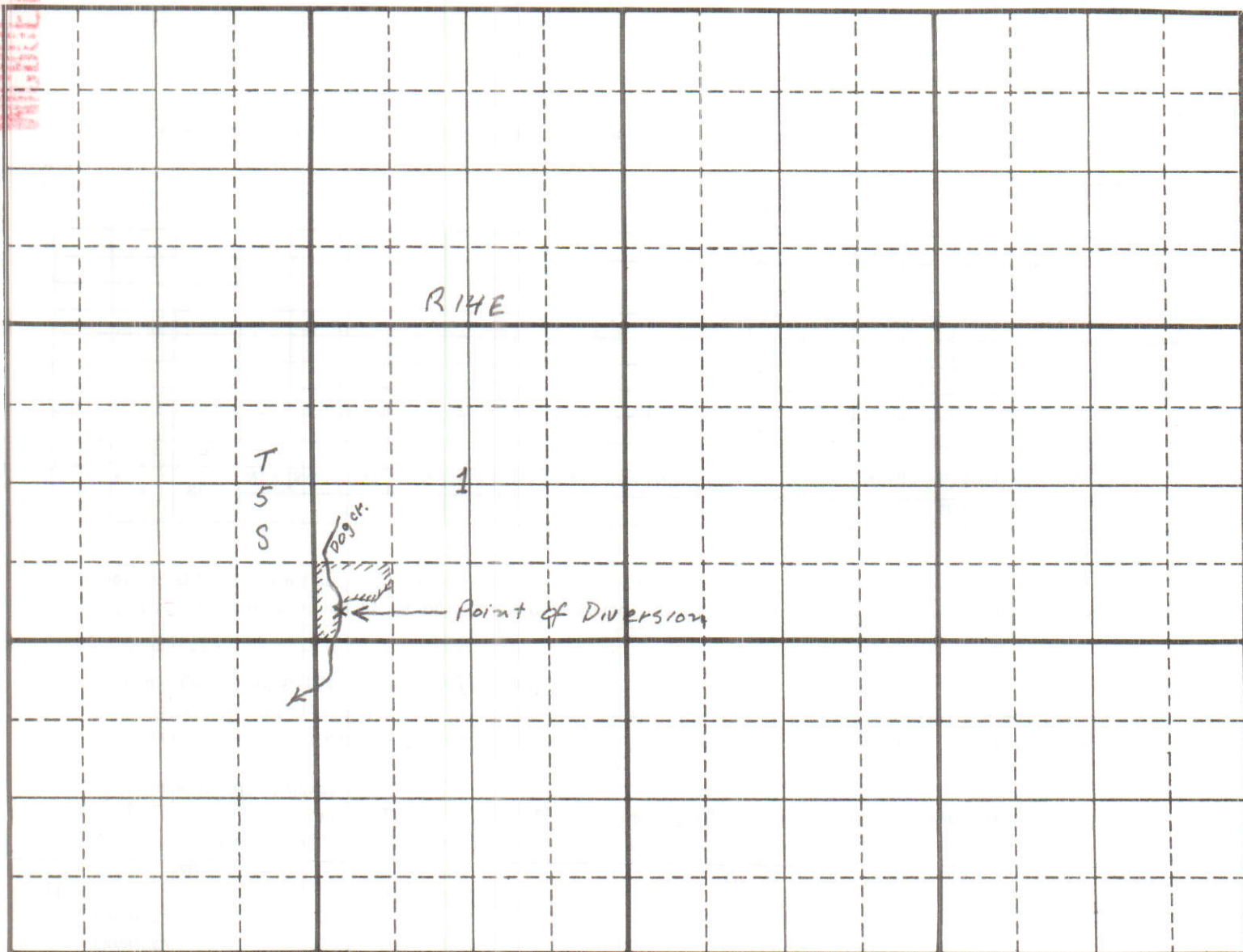


(8) Remarks The wastewater used under this right was formerly diverted before it entered
Dog Creek. Now the wastewater is to be allowed to comeingle with Dog Creek and all
the water diverted thru a pump to the irrigated land



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 Gooding) 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 15th day of November, 19 79

Marian Blowe
(Claimant)

[Signature]
Notary Public
Residing at Gooding, Id

My commission expires 10-6-83

FOR DEPARTMENT USE ONLY

Received by <u>marya</u>	Date <u>1-22-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>gjs</u>	Date <u>1-24-80</u>		claimant by:	
\$20.00 fee received by <u>-</u>	Date <u>-</u>			
Published in _____				
Dates _____				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gary Boat, 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 7 day of February

1980, and the date of the last publication was on the 14

day of February, 1980.

Gary Boat

Subscribed and sworn to before me this 14

day of February, 1980.
(SEAL)

Gary Boat
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48
Number of Insertions 2
Lines tabular at 315c
Lines straight at 48 21c 10.08
Subsequent lines at 48 15c 7.20
TOTAL COST 17.28

COPY OF NOTICE

NOTICE OF AMENDED
CLAIM TO A WATER
RIGHT
NO. 37-4119

Notice is hereby given that Claim to a Water Right No. 37-4119 in the name of James A. &/or Marian Rowe, Gooding, Idaho, was filed for the diversion of .20 cubic feet per second of water from waste water and Dog Creek tributary of Dry Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1 T.5S, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 10 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T.5S, R.14E, B.M.

Claim to a Water Right No. 37-4119 is hereby amended to .36 cubic feet per second of water from waste water and Dog Creek tributary to Dry Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1 T.5S, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 18 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T.5S, R.14E, B.M. Any exception to the amending of the Claim to a Water Right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301.

/s/ C. Stephen Allred
Director

Pub: 2-7, 14

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

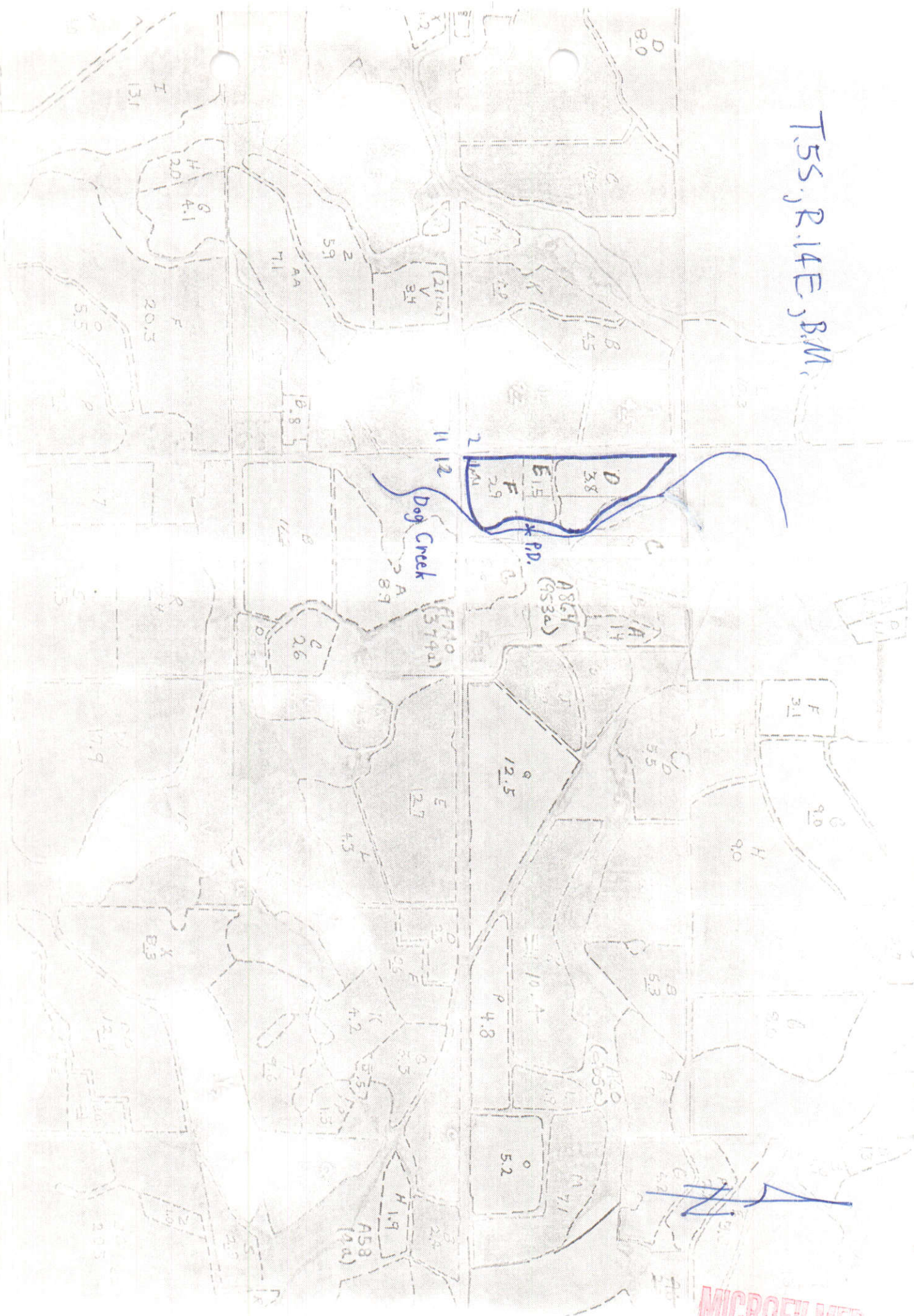
7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive
insertions 15c

33179

Nº 2272

MICROFILMED

T.5S, R.14E, B.M.



MICROFILMED



REAL ESTATE PURCHASE AND SALE AGREEMENT
(With Earnest Money Provision)
THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY.
READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.

a very light copy

RE-21
Revised 4-77

Applicant 21 Idaho July 21 1977

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the City of _____, County of _____, State of Idaho, commonly known as _____, legally described as: _____

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS Twenty eight thousand dollars DOLLARS (\$ 28,000.00) payable as follows:

- A. Earnest Money.
- a. Buyer deposits and receipt is acknowledged of Two thousand dollars Dollars (\$ 2,000.00) Dollars evidenced by ☐ Cash, ☐ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.
- b. Buyer further agrees on or before _____ day of _____, 19____, to pay or deliver as additional earnest money in part payment of the purchase price for the premises _____ Dollars (\$ _____) evidenced by ☐ Cash, ☐ Personal Check, ☐ Note due, or _____
- c. All Earnest Money and this agreement shall be held by Idaho Savings Bank - Jerome for the benefit of the parties hereto.
- B. Balance of purchase price to be paid as follows:

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of _____. If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.
3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:
4. The parties designate _____ Title Company to provide the necessary title insurance and commitment for title insurance required by this agreement.
5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be _____. Where not otherwise provided in this agreement or by law, the parties shall each pay one-half of said closing agent's fee.
6. Within _____ days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller, as provided herein, whichever is later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the items specified in the preceding sentence the closing agent shall close this transaction.
7. All attached floor coverings, attached television antenna, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems including built in and "drop in" ranges, (but excepting all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.
- The following items of property now on the premises are specifically **excluded** from the sale: _____
- The following items of personal property are specifically **included** in the sale: _____
8. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of the _____ day of _____, 19____ or on the date of closing, whichever shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.
9. Seller shall deliver possession of the premises to Buyer on or before the _____ day of _____, 19____ or on the date of closing, whichever shall last occur.
10. The parties agree that this agreement contains the following additional terms and conditions: _____

11. The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledges reading this agreement in full.

MICROFILMED

Listing Broker: _____ Selling Broker: _____ By: _____
Buyer: _____ Buyer's Address: _____

A very

light
copy

18. This agreement shall be binding upon the heirs, personal representatives, successors and assigns of the respective parties hereto.
19. Time is of the essence of this agreement.

To which South, Range 14 East, T10N R14E

Section 1

Beginning at the Southwest corner of Section 1 the T10N R14E

thence S 89° 45' 30" E 1311.11 feet along the southerly

boundary of Section 1

thence S 1° 32' 50" E 281.02 feet along the easterly side

of a line of survey;

thence along the southerly, westerly and northerly boundary

of a cultivated field the following course;

thence S 5° 53' 51" E 1121.07 feet;

thence S 6° 18' 20" E 113.23 feet;

thence S 1° 50' 52" E 283.47 feet;

thence S 29° 15' 24" E 103.07 feet;

thence S 12° 29' 41" E 303.43 feet;

thence S 73° 12' 29" E 165.17 feet to a point in the easterly

boundary of Section 1;

thence S 0° 06' 00" E 312.27 feet along said easterly

boundary to the northeast corner of Section 1;

thence S 89° 40' 30" E 1315.21 feet along the northerly

boundary of Section 1 to the northwest corner of Section 1;

thence S 0° 09' E 1303.52 feet along the westerly

boundary of Section 1 to the T10N R14E

thence S 89° 40' 30" E 1315.21 feet along the northerly

boundary of Section 1 to the northwest corner of Section 1;

thence S 0° 09' E 1303.52 feet along the westerly

boundary of Section 1 to the T10N R14E

thence S 89° 40' 30" E 1315.21 feet along the northerly

boundary of Section 1 to the northwest corner of Section 1;

thence S 0° 09' E 1303.52 feet along the westerly

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Sary Srost, 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 11 day of October

19 79, and the date of the last publication was on the 18

day of October, 19 79.

Cary Srost

Subscribed and sworn to before me this 18

day of October, 19 79.

(SEAL)

Cary Srost
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>
Number of Insertions	<u>2</u>
Lines tabular at	315c
Lines straight at <u>36</u>	21c <u>7.56</u>
Subsequent lines at <u>36</u>	15c <u>5.40</u>
TOTAL COST	<u>12.96</u>

COPY OF NOTICE

(Paste Here)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims(s) to water right(s) have been established by diversion and application to beneficial use:

37-4119

ROWE, JAMES A. &/or MARIAN

ROUTE 1, BOX 52, GOODING, ID 83330

Source: WASTE WATER AND DOG CREEK tributary to DRY CREEK

Priority Date: 04/01/1952

Amount: 0.20 CFS

Diversion Point: SWSW Sec 01 T 05S R 14E, GOODING Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 11/01

Place of Use: SWSW Sec 01 T 05S R 14E FOR 10 ACRES

Diversion Means: 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/ C. Stephen Allred
Director

Pub: 10-11, 18

ok
marcys
10/24/79

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

RECEIVED

31923 24 1979

Department of Water Resources
Southern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

AMENDED

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 James A. &/or Marian Rowe
(Name of Claimant)
Route 1 Box 52 - Gooding, Idaho 83330 Telephone No. 934-5825
(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 1, 1952

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 & Dog Creek tributary to Dry 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>0.44-0.36</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) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SW 1/4 SW 1/4, Sec. 1 Twp. 5S Rge. 14E 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
Pump & pipeline from Dog Creek

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	1											<u>22</u>						<u>22</u>
													<u>18</u>						<u>18</u>

No. of acres 22-18

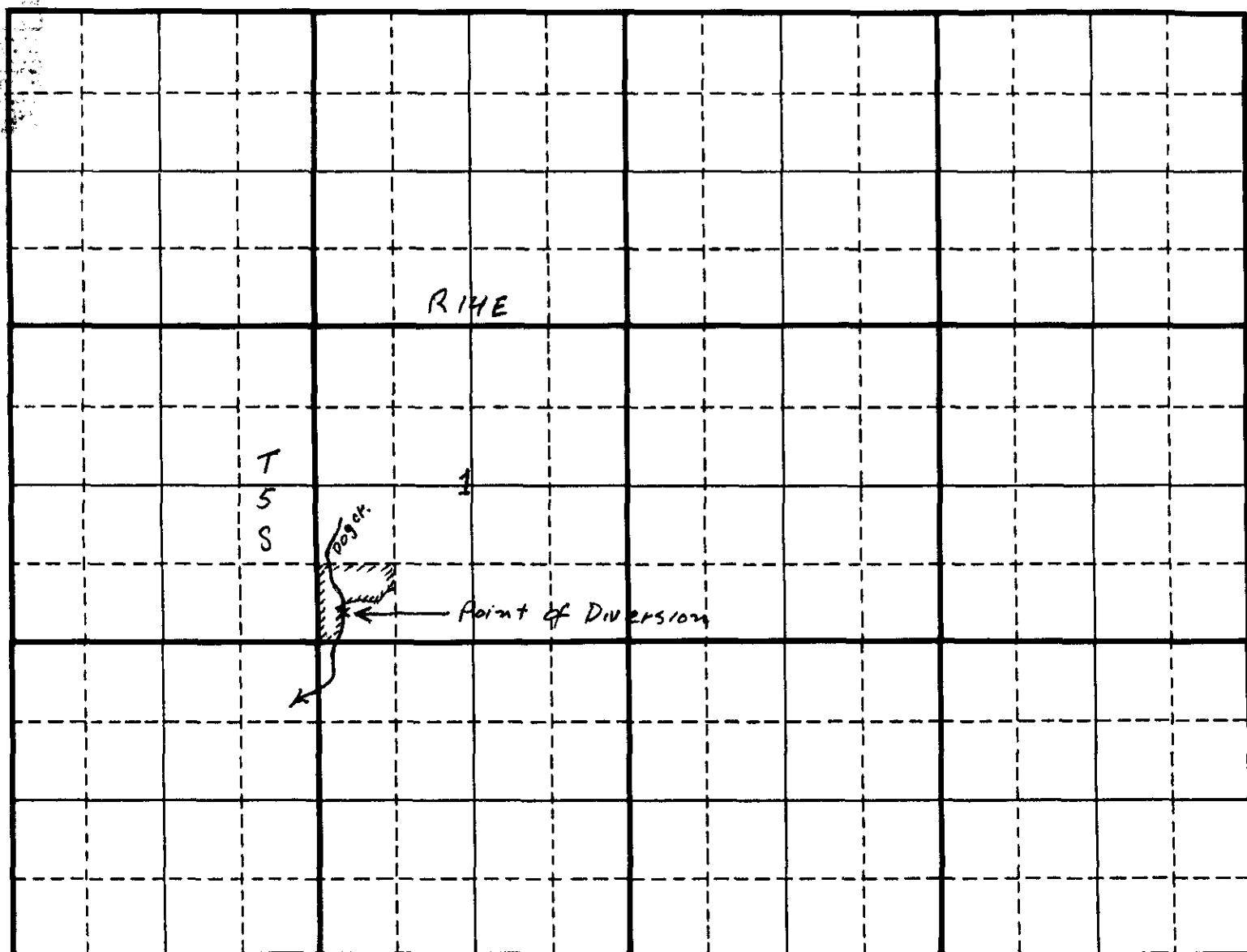
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

MICROFILMED

(8) Remarks The wastewater used under this right was formerly diverted before it entered
Dog Creek. Now the wastewater is to be allowed to comeingle with Dog Creek and all
the water diverted thru a pump to the irrigated land



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 Gooding) 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 15th day of November, 19 79

Marian B. Rowe
(Claimant)
[Signature]
Notary Public
Residing at Gooding, Id

My commission expires 10-6-83

FOR DEPARTMENT USE ONLY

Received by <u>Mary</u>	Date <u>1-22-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>190</u>	Date <u>1-24-80</u>		claimant by:	
\$20.00 fee received by <u>-</u>	Date <u>-</u>			
Published in _____				
Dates _____				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gary Best, 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 7 day of February

1980, and the date of the last publication was on the 14

day of February, 1980.

[Signature]

Subscribed and sworn to before me this 14

day of February, 1980.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

MICROFILMED

Number of Lines in Notice 48
Number of Insertions 2
Lines tabular at 315c
Lines straight at 48 21c 10.08
Subsequent lines at 48 15c 7.20
TOTAL COST ... 17.28

COPY OF NOTICE

Notice is hereby given that Claim to a Water Right No. 37-4115 in the name of John A. & Marian Rowe, Gooding, Idaho, was filed for the diversion of .20 cubic feet per second of water from waste water and Dry Creek tributary to Dry Creek in the SW 1/4, Sec. 1, T.28, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 16 acres within the SW 1/4, Sec. 1, T.28, R.14E, S.M.

Claim to a Water Right No. 37-4115 is hereby amended to .20 cubic feet per second of water from waste water and Dry Creek tributary to Dry Creek in the SW 1/4, Sec. 1, T.28, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 16 acres within the SW 1/4, Sec. 1, T.28, R.14E, S.M. Any objection to the amending of the Claim to a Water Right must be filed with the Idaho Department of Water Resources, 1801 Blue Lakes Blvd., North, Twin Falls, Idaho, 23301.

/s/ C. Stephen Alfred
Director

Pub: 2-7, 14

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive insertions 15c

33179

No 2272

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE NOTICE OF AMENDED
CLAIM TO A WATER RIGHT:

JAMES A. ROWE and/or MARIAN B.
ROWE,

NO. 37-4119

)
)
) EXCEPTION TO AMENDED
) CLAIM OF WATER RIGHT
) AND AFFIDAVIT IN SUPPORT
) THEREOF
)
)
)

STATE OF IDAHO)
) SS.
County of Gooding)

WILLIAM B. HURD, being first duly sworn upon his oath
deposes and says:

That exception is made to amended claim of water right in
the above captioned.

That this affidavit is executed in support of affiants ex-
ception to the above entitled amended claim of water right.

That your affiant is the owner of a parcel of land con-
sisting of approximately twelve (12) acres situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 11, Township 5 South, Range 14, E.B.M., Gooding County,
Idaho, and that your affiant resides on said described parcel and
has for 30 years last past.

That your affiant and his predecessors in interest have for
more than 31 years last past and continuously during said period of
time appropriated, used and applied to beneficial use during the ir-
rigation season, .24CFS of the waste waters flowing in the channel
of Dog Creek, tributary of Dry Creek which said waters have been
diverted in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 South, Range 14, E.B.M
and conducted to affiants property by gravity flow.

That neither the claimants nor their predecessors in interest have diverted, used or applied to beneficial use, the waste waters flowing in the channel of Dog Creek, tributary of Dry Creek, from the date of April 1, 1952 (as set forth in the original of said Notice of Claim) or at all.

William B. Hurd
William B. Hurd

SUBSCRIBED AND SWORN to before me this 21st day of
February, 1980.

Basil D. Mahoney
Notary Public for the State of
Idaho, residing at Gooding, Idaho.

RECEIVED

FEB 22 1930

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE NOTICE OF AMENDED
CLAIM TO A WATER RIGHT:

JAMES A. ROWE and/or MARIAN B.
ROWE,

NO. 37-4119

)
)
) EXCEPTION TO AMENDED
) CLAIM OF WATER RIGHT
) AND AFFIDAVIT IN SUPPORT
) THEREOF
)
)
)

STATE OF IDAHO)
) SS.
County of Gooding)

WILLIAM B. HURD, being first duly sworn upon his oath
deposes and says:

That exception is made to amended claim of water right in
the above captioned.

That this affidavit is executed in support of affiants ex-
ception to the above entitled amended claim of water right.

That your affiant is the owner of a parcel of land con-
sisting of approximately twelve (12) acres situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 11, Township 5 South, Range 14, E.B.M., Gooding County,
Idaho, and that your affiant resides on said described parcel and
has for 30 years last past.

That your affiant and his predecessors in interest have for
more than 31 years last past and continuously during said period of
time appropriated, used and applied to beneficial use during the ir-
rigation season, .24CFS of the waste waters flowing in the channel
of Dog Creek, tributary of Dry Creek which said waters have been
diverted in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 South, Range 14, E.B.M
and conducted to affiants property by gravity flow.

That neither the claimants nor their predecessors in interest have diverted, used or applied to beneficial use, the waste waters flowing in the channel of Dog Creek, tributary of Dry Creek, from the date of April 1, 1952 (as set forth in the original of said Notice of Claim) or at all.

William B. Hurd
William B. Hurd

SUBSCRIBED AND SWORN to before me this 21st day of February, 1980.

Basil D. Mahoney
Notary Public for the State of
Idaho, residing at Gooding, Idaho.



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

November 1, 1979

James A. &/or Marian Rowe
Route 1 - Box 52
Gooding, Idaho 83330

Re: Claim to a Water Right No. 37-4119 - James A. &/or Marian Rowe

Dear Mr. & Mrs. Rowe:

We are enclosing a copy of an affidavit in opposition to your claim to a water right submitted by Mr. Cecil Hobdey in behalf of William B. Hurd. The following is a quote from the provisions under which this claim has been filed (Sec. 42-225b, Idaho Code.):

42-225b. Recording of claim by Department, Corrections

"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya
Encl:

MICROFILMED



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

November 1, 1979

Mr. Cecil D. Hobdey
James, Hobdey & Varin
Attornes at Law
P. O. Box 176
Gooding, Idaho 83330

Re: Claim to a Water Right No. 37-4119 - Rowe, James A. &/or Marian B.

Dear Mr. Hobdey:

We are in receipt of the affidavit in support of the exception to a claim to a water right, submitted by you in behalf of William B. Hurd. The following excerpt from Sec. 42-225b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed.

42-225b. Recording of claims by Department, Corrections
"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

MICROFILMED

RECEIVED

OCT 29 1979

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE NOTICE OF CLAIMS)

OF WATER RIGHTS OF:

JAMES A. ROWE and/or MARIAN B. ROWE,

NO. 37-4119

) AFFIDAVIT IN SUPPORT
) OF EXCEPTION TO CLAIM
) OF WATER RIGHT

STATE OF IDAHO)
) SS.
County of Gooding)

WILLIAM B. HURD, being first duly sworn upon his oath deposes and says:

That this Affidavit is executed in support of affiants exception to the above entitled claim of water right.

That your affiant is the owner of a parcel of land consisting of approximately twelve (12) acres situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 5 South, Range 14, E.B.M., Gooding County, Idaho, and that your affiant resides on said described parcel and has for 31 years last past.

That your affiant and his predecessors in interest have for more than thirty-one (31) years last past and continuously during said period of time appropriated, used and applied to beneficial use during the irrigation season, .24CFS of the waste waters flowing in the channel of Dog Creek, tributary of Dry Creek which said waters have been diverted in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 South, Range 14, E.B.M. and conducted to affiants property by gravity flow.

That neither the claimants nor their predecessors in interest have diverted, used or applied to beneficial use, the waste waters flowing in the channel of Dog Creek, tributary of Dry Creek, from the date of April 1, 1952, as set forth in said notice of claim, or at all.

William B Hurd

SUBSCRIBED AND SWORN to before me this 24th day of October, 1979.

John F. Jones
Notary Public for the State of Idaho
Residing at Gooding, Idaho.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 1, 1979

JAMES A. ROWE
MARIAN ROWE
ROUTE 1
BOX 52
GOODING,

ID 83330

RE: Claim No. 37-4119

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

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

CLAIM TO A WATER RIGHT

SEP 26 1979

Department of Water Resources

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 James A. &/or Marian Rowe

(Name of Claimant)

Route 1 Box 52, Gooding, Idaho 83330

(Mailing Address)

Telephone No. 934-5825

(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) 4-1 1952

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 & Dog Creek tributary to Dry 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>0.20 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) 0.20 cfs TOTAL QUANTITY USED:
(cfs, gpd, AFA)

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

SW 1/4 SW 1/4, Sec. 1 Twp. 5S Rge. 14E 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. 10 hp lift pump to gravity irrigation system

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	1											10						10

No. of acres 10

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:

[illegible]

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.

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 26th day of September, 19 79

Loren O. Halmer
Notary Public
Residing at Twins Falls, ID

My commission expires Life

Received by JE Horton Date 9-26-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 9-26-79 claimant by: _____
\$20.00 fee received by JP Date 9-26-79 #12341
Published in Grand Rapids County Leader
Dates 9/11 & 9/16/79

September 19, 1979

STATEMENT SUPPORTING CLAIM TO WATER RIGHTS

As previous owner of Part S $\frac{1}{2}$ SW $\frac{1}{4}$, Section I, Township 5 South, Range 14 East, Boise Meridian*, I hereby declare that water from Dog Creek (which passes through said property) has been used for irrigation purposes since about 1952 on this property now owned by James and Marian Rowe. At that time I installed the pump now in use to lift water to irrigate approximately 10 acres of cultivated ground. ^{ALL} ~~Most~~ of the water used out of Dog Creek is waste water from upstream irrigated land. *P.S.T.*

Signed: *Floyd S. Thornton*

Floyd Thornton
310 12th Avenue West
Gooding, Idaho 83330
Phone: 934-5162

* Complete legal description attached.

MICROFILMED

[illegible]

a very light
copy

Gooding 21 Idaho July 21 19

Received 12 November 1992; accepted 11 March 1993

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the City of Goodwin, County of Goodwin.

State of Idaho, commonly known as Butt. Strains 2021-20

legally described as: _____

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS forty eight thousand dollars DOLLARS (\$48,000.00) payable as follows:

A. Earnest Money.

Very truly yours,
 J. Edgar Hoover

a. Buyer deposits and receipt is acknowledged of two thousand Dollars (\$ 2000) Dollars evidenced by ☐ Cash, ☐ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.

b. Buyer further agrees on or before _____ day of _____, 19____, to pay or deliver as additional earnest money in part payment of the purchase price for the premises _____ Dollars

(\$) evidenced by ☐ Cash, ☐ Personal Check, ☐ Note due, or

c. All Earnest Money and this agreement shall be held by Sam Bureau Realty--Jerome for the benefit of the parties hereto

B. Balance of purchase price to be paid as follows:

[illegible]

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of _____, 2006.
If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.

3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:

4. The parties designate Equifax Title Company to provide the necessary title insurance and commitment for title insurance required by this agreement.

5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be WELLS FARGO BANK, N.A.. Where not otherwise provided in this agreement or by law, the parties shall each pay one-half of said closing agents fee.

6. Within days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller, as provided herein, whichever is later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the items specified in the preceding sentence the closing agent shall close this transaction.

7. All attached floor coverings, attached television antenna, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems including built in and "drop in" ranges, (but excepting all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

The following items of property now on the premises are specifically excluded from the sale: _____

The following items of personal property are specifically included in the sale: all of the contents of the house, including the furniture, appliances, and fixtures.

8. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of the 1 day of July, 1992 or on the date of closing, whichever shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.

9. Seller shall deliver possession of the premises to Buyer on or before the _____ day of _____, 19____ or on the date of closing, whichever shall last occur.

10 The parties agree that this agreement contains the following additional terms and conditions: _____

11 The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledge and agree that the provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledge and agree that the provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties.

Listing Broker: _____ Selling Broker: _____ By _____

100-6789

Buyer M. J. ...

MICROFILMED

18. This agreement shall be binding upon the heirs, personal representatives, successors and assigns of the respective parties hereto.

Township 5 South, Range 14 East, Boone Meridian
Section 1
April 1904 BOONVILLE, MO.

Beginning at the Southwest corner of Section 1, the TRAIL CONTINUES
OF A-10000.

Thence N 89° 45' 36" E 1533.01 feet along the southerly
boundary of section 1

Station 11' 32' 50 191.02 feet along the eastern side
of a line of trees;

thence along the southeasterly, westerly and northerly boundary of a cultivated field the following corners:

2 13° 59' 51" N 121.94 East

$65^{\circ} 10' 28''$ = 113.23 feet

11 16 50' 52" 283.45 feet:

N 20° 15' 24" E 103.24 1334:

$\gamma = 12^{\circ} 29' 41''$ E 263.49 Stat.

N 86° 12' 29" E. 165.00 feet to a point in the easterly boundary of said Section 1;

thence N 0° 06' 00" E 319.27 feet along said easterly boundary to the northeast corner of 0.0000'

thence S 89° 40' 36" E 1315.23 feet along the northerly boundary of Section 15 to the northwest corner of said Section;

thence S 0° 09' = 1308.52 feet along the westerly boundary of Section 1 to the 180° 10' 00" OF BEARING.

Said parcel of land containing 36.3 acres more or less.
Parcel subject to 25.00 feet in width county road right of way
along the southerly and westerly boundaries.

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Sary Srost, 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 11 day of October

1979, and the date of the last publication was on the 18

day of October, 19 79

[Signature]

Subscribed and sworn to before me this 18

day of October, 19 79.

(SEAL)

Gemma Florio
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>
Number of Insertions	<u>2</u>
Lines tabular at	315c
Lines straight at	<u>36</u> 21c <u>7.56</u>
Subsequent lines at	<u>36</u> 15c <u>5.40</u>
TOTAL COST	<u>12.96</u>

COPY OF NOTICE

[Faint, mostly illegible text from the reverse side of the page, likely a copy of the notice being published.]

ok
moreya
10/24/79

PUBLICATION RATES	
(Idaho Code, Rev. Statutes 1971)	
7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

RECEIVED

31923 20 1979

No. 2191
Southern District Office

NOT RECORDED

WATER RIGHT NUMBER 37-4119

WATER RIGHTS EDIT REPORT

10/05/79

PAGE 4

ACT
ION

N	OWNER LAST NAME - ROWE	FIRST NAME - JAMES A.			
N	OWNER LAST NAME - ROWE	FIRST NAME - MARIAN			
N	ADDRESS LINE 1 - ROUTE 1	ADDRESS LINE 2 - BOX 52			
N		CITY - GOODING,	STATE - ID	ZIP CODE - 83330	
N	SOURCE - WASTE WATER AND DOG CREEK	TRIBUTARY OF - DRY CREEK			
N	STAGE - STATRY CLM	PRIORITY - 04-01-1952	COUNTY - GOODING	TOTAL DIV. RATE -	.2000CFS
N	DIVERSION POINT - SWSW 01 05S 14E				
N	FROM - 04-01 TO - 11-01	USE - IRRIGATION	USE DIV. RATE -	.2000CFS	
N	USE - IRRIGATION	PLACE OF USE - T4N 05S R4G 14E SEC 01 TRACT SWSW	AC 10		
N	DIVERSION MEANS - PUMP				

5
B.B.

IDENT. N. 37-4119

WATER RIGHT
DATA ENTRY LOG

[illegible]

11/78

RECEIVED

State of Idaho
Department of Water Resources

JUL 2 1980

Department of Water Resources AMENDED CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. StantonRight Number 37-4119 Amended Applicant ROWE, James A. &/or Marian

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 SW Date 6-30-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. L. L. L. L. Date 7/2/80

MICROFILMED



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

June 30, 1980

James A. Rowe &/or Marian
Route 1 Box 52
Gooding, Idaho 83330

Re: Claim No. 37-4119

Dear Mr. & Mrs. Rowe:

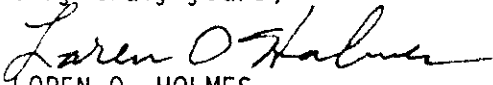
The Department of Water Resources has completed the advertising of your amended claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

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 amended claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Very truly yours,


LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MAILING LABEL

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 37-4119

Notice is hereby given that Claim to a Water Right No. 37-4119 in the name of James A. &/or Marian Rowe, Gooding, Idaho, was filed for the diversion of .20 cubic feet per second of water from waste water and Dog Creek tributary of Dry Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1 T.5S, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 10 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T.5S, R.14E, B.M.

Claim to a Water Right No. 37-4119 is hereby amended to .36 cubic feet per second of water from waste water and Dog Creek tributary to Dry Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1 T.5S, R.14E, Gooding County , to be used from April 1 to November 1, for irrigation purposes of 18 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T.5S, R.14E, B.M.

Any exception to the amending of the Claim to a Water Right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301.

C. STEPHEN ALLRED
Director

Published in the Gooding County Leader February 7 and February 14, 1980.

MICROFILMED

LEGAL 9½ le

**NOTICE OF AMENDED
CLAIM TO A WATER
RIGHT
NO. 37-4119**

Notice is hereby given that Claim to a Water Right No. 37-4119 in the name of James A. &/or Marian Rowe, Gooding, Idaho, was filed for the diversion of .20 cubic feet per second of water from waste water and Dog Creek tributary of Dry Creek in the SW¼SW¼, Sec. 1 T.5S, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 10 acres within the SW¼SW¼, Sec. 1, T.5S, R.14E, B.M.

Claim to a Water Right No. 37-4119 is hereby amended to .36 cubic feet per second of water from waste water and Dog Creek tributary to Dry Creek in the SW¼SW¼, Sec. 1 T.5S, R.14E, Gooding County, to be used from April 1 to November 1, for irrigation purposes of 18 acres within the SW¼SW¼, Sec. 1, T.5S, R.14E, B.M. Any exception to the amending of the Claim to a Water Right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301.

/s/ C. Stephen Allred
Director

Pub: 2-7, 14

OK *[Signature]*

January 25, 1980

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: AMENDED CLAIM TO A WATER RIGHT NO. 37-4119 - ROWE

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

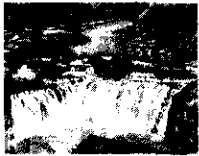
Bill submitted:

MICROFILMED

To File as further support
of Claim to water right (amended)
No. 37-4119

Maria B Rowe
1-21-80

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

P.O. Box 8
TW Falls, ID 83301
November 21, 1979

Mrs James Rowe
Rt #1, Box 52
Gooding, ID 83330

Dear Mrs Rowe:

In checking with our Gooding Office, we can verify that we did have electrical service to your 5 HP irrigation pump in the year, 1952. We previously thought it was 1962, but further research show that 1952 was the correct year.

Very truly yours,

R E Parmer
Ass't Accounting Mgr
IDAHO POWER COMPANY

REP/kd

Acct # 0755-00270-2

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

Mr. & Mrs. William Hurd
NW of City
Gooding, Idaho 83330

Dear Mr. & Mrs. Hurd:

We are in receipt of your exception to a Claim to a Water Right filed by James A. Rowe and/or Marian B. Rowe. The following excerpt from Section 42-225b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed.

Section. 42-225b. Recording of Claims by Department ---Corrections---

At any time after the filing of a claim under the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required.

Only the authority to take the above action has been delagated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

Encl.

CC: Cecil D. Hobdey
P.O. Box 176
Gooding, Idaho

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

February 25, 1980

Mr. & Mrs. James Rowe
Route 1 Box 52
Gooding, Idaho 83330

Dear Mr & Mrs. Rowe:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right, submitted by Mr. & Mrs. William Hurd. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

42-225b. Recording of claims by department --- Corrections -----

At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water Resources. Such claims may be corrected by the claimant only by filing an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LH/dd

Enc.

MICROFILMED

LAW OFFICES

JAMES, HOBDEY & VARIN

P. O. BOX 176

GOODING, IDAHO 83330

(208) 934-4429

FAIRFIELD OFFICE

P. O. BOX 185

FAIRFIELD, IDAHO 83327

(208) 764-2251

ANDREW F. JAMES
CECIL D. HOBDEY
JOHN F. VARIN

February 21, 1980

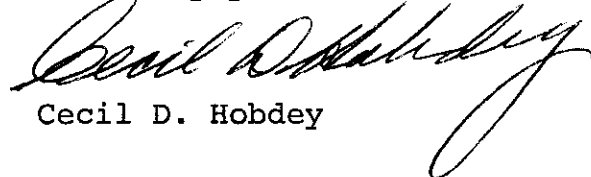
Director
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

RE: Amended Claim of Water Rights
No. 37-4119

Gentlemen,

On behalf of Mr. and Mrs. William B. Hurd we enclose
herewith Exception to Amended Claim of Water Right and Affidavit
in Support Thereof with reference to the above entitled.

Sincerely yours,



Cecil D. Hobdey

CDH;ls

Enc.

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 37-4119 Applicant ROWE, James A. &/or Marian

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:

?
(Monthly)

- ☒ 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 _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jarin Date 11/2/79

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:

37-4119

ROME, JAMES A. &/or MARIAN

ROUTE 1, BOX 52, GOODING,, ID 83330

Source: WASTE WATER AND DOG CREEK tributary to DRY CREEK

Priority Date: 04/01/1952

Amount: 0.20 CFS

Diversion Point: SWSW Sec 01 T 05S R 14E, GOODING Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 11/01

Place of Use: SWSW Sec 01 T 05S R 14E FOR 10 ACRES

Diversion Means: 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.

C. STEPHEN ALLRED

Director

Published 10/11 & 10/18/79.

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RECORDED

OCT 3 1979

Department of Water Resources
Southern District Office

LEGAL (257) 1e

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/s/ C. Stephen Allred
Director

Pub: 10-11, 18

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 27, 1979

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 OCTOBER 29, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

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