

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 Joseph Tugaw
(Name of Claimant)
Murtaugh, Idaho Telephone No. 432-5249
(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) Jan 1, 1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to East Fork, Dry Creek

(3) Describe the purposes for which the Dry Creek has been used and the time during the year when you have used the right claimed:
East Fork of Dry Creek

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.02</u>	Use <u>Domestic</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>1.00 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>June 1</u>	To <u>Sept. 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1.02 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(Lot 5) SW 1/4 NW 1/4, Sec. 6 Twp. 14S Rge. 20E B.M., County of Cassia
Additional points of diversion: P/D of Creek for lower lands -> SE 1/4 SE 1/4 Sec 36 T. 13S. R. 19E.

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.
Pipeline from spring to cabin. Lands irrigated via ditches and some sub water from 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	
13S	19E	36													4			8	12
14S	20E	6							4.5										13
14S	20E	6							11	2									
14S	20E	6							X										
									R										

No. of acres 25

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

Domestic - 1 cabin.

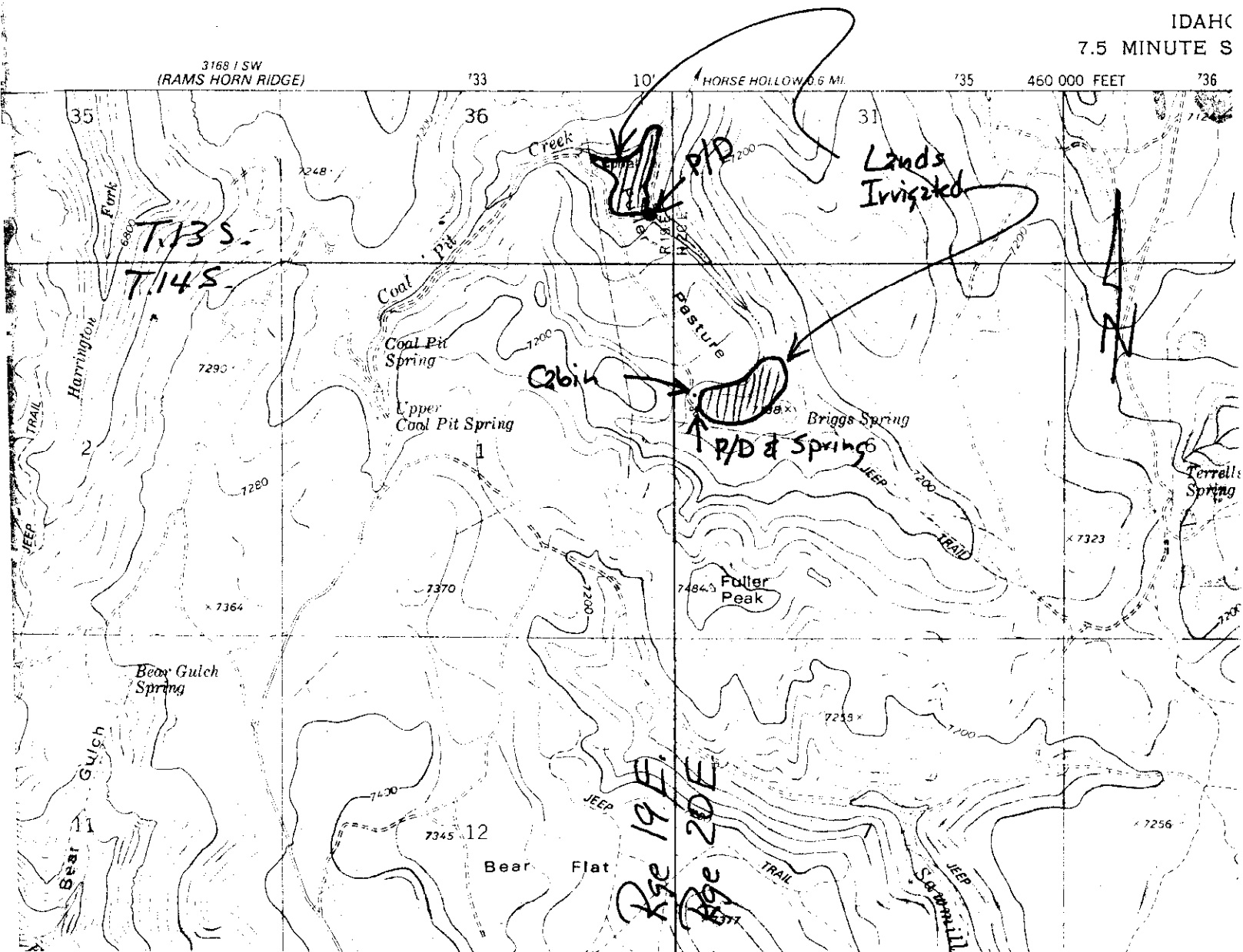
NOTE: Include here the type and number of stock watered:

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

MILKRE

RECEIVED

(8) Remarks _____



State of Idaho)
) ss.
County of Twin Falls)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27 day of June, 1983.

Joseph P. Pugh
(Claimant)

Loren O. Halverson
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>6/27/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>OPC</u>	Date <u>6/28/83</u>		claimant by:	
\$30.00 fee received by <u>ADM</u>	Date <u>6/27/83</u>	# <u>29015</u>		
Published in <u>South Idaho Press</u>				
Dates <u>7/8 & 7/15/83</u>				

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summer being first
duly sworn, deposes and says that she is the

Clk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for *times*
consecutive weeks, commencing with the issue
dated *September* 19*53*, and ending
with the issue dated *September* 19*53*.

Subscribed and sworn to before me
this *26* day of *Sept*
19*53*.

Samuel M. ... Notary Public

Cost of Publication *\$213.30*
Notary Fee
Total Cost *\$213.30*

45-4200
CHRISTENSEN, EARL J.
RT. 1 BOX 1708, BURLEY, ID 83318
Source: SPRING trib. to MARSH CREEK
Priority Date: 01/01/1960
Diversion Pt: NWSW Sec 28 T 10S R 24E
Use: STOCKWATER (0.02 CFS)
COMMERCIAL (0.02 CFS)
In: NWSW Sec 28 T 10S R 24E

45-4201
L.D.S. CHURCH (OAKLEY STAKE)
P.O. BOX 93, OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/01/1955
Diversion Pt: NESW Sec 33 T 13S R 22E
Use: IRRIGATION (0.02 CFS)
In: NESW Sec 33 T 13S R 22E FOR 1 ACRES

45-4202
L.D.S. CHURCH (OAKLEY STAKE)
P.O. BOX 93, OAKLEY, ID 83346
Source: SPRING trib. to SINKS
Priority Date: 07/01/1968
Diversion Pt: SESE Sec 36 T 12S R 23E
Use: DOMESTIC (0.02 CFS)
SESE Sec 36 T 12S R 23E

45-4203
RAYBURN, NORMAN H. &/or RUTH A.
1101 E. 21ST. ST., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1959
Diversion Pt: SWNW Sec 28 T 10S R 23E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 28 T 10S R 23E FOR 1 ACRES

45-4204
HEWARD, HARLEY L.
RT. 1 BOX 1554, BURLEY, ID 83318
Source: SPRINGS trib. to DUCK CREEK
Priority Date: 05/01/1970
Diversion Pt: NWSE Sec 31 T 10S R 24E
Use: IRRIGATION (1.00 CFS)
In: NWSE Sec 31 T 10S R 24E FOR 36 ACRES

45-4205
HARDY, RANDY L.
RT. 1 BOX 28A, OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 05/15/1954
Diversion Pt: SWNE Sec 29 T 13S R 22E
Use: IRRIGATION (1.60 CFS)
In: SWNE Sec 29 T 13S R 22E FOR
110 ACRES

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

45-4189
GERRATT, REX &/or LARRY
RT. 3 BOX 353A, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1925
Diversion Pt: SENE Sec 03 T 11S R 23E
Use: IRRIGATION (0.02 CFS)

45-4190
STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SENE Sec 03 T 11S R 23E FOR 1 ACRES

45-4191
BAILEY, EDDIE J. &/or ELIZABETH A.
BOX 146, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1953
Diversion Pt: SESE Sec 15 T 11S R 24E
Use: IRRIGATION (0.14 CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 15 T 11S R 24E FOR 7 ACRES

45-4192
MATTHEWS BROS., INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversion Pt: SESE Sec 33 T 13S R 22E
Use: IRRIGATION (0.60 CFS)
In: SWSW Sec 34 T 13S R 22E SESE Sec 33 T 13S R
22E FOR 22 ACRES

45-4193
MATTHEWS BROS. INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 05/25/1956
Diversion Pt: LOT 03 (NENE) Sec 03 T 14S R 22E
Use: IRRIGATION (4.46 CFS)
In: SWNW SENW NESW NWSW SWSW SESE Sec 26 T
13S R 22E NENE SENE NESE SESE Sec 27 T 13S R 22E
NENE NWNE SWNE SENE NENW SWNW SENW NESE
NWSE SWSE SESE Sec 34 T 13S R 22E SENE NENW Sec
35 T 13S R 22E FOR 820 ACRES

45-4194
WHITELEY, J. REED
WHITELEY, W.B.
RT. 1 BOX A, OAKLEY, ID 83346
Source: SPRING trib. to SINKS
Priority Date: 01/01/1957
Diversion Pt: SESW NESW Sec 27 T 14S R 22E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NESW SESW SWSE Sec 27 T 14S R 22E

45-4195
L.D.S. CHURCH, DECLO STAKE
C/O LEO W. HURST, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1953
Diversion Pt: Lt 2 (NWNE) Sec. 6 T 11S R 24E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.08 CFS)
In: LOT 02 (NWNE) Sec 06 T 11S R 24E FOR 1
ACRES

45-4196
MATTHEWS BROTHERS, INC.
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 10/22/1956
Diversion Pt: SENE Sec 03 T 14S R 22E
Used: IRRIGATION (4.46 CFS)
In: SWNW SENW NESW NWSW SWSW SESE Sec 26 T
13S R 22E NENE SENE NESE SESE Sec 27 T 13S R 22E
NENE NWNE SWNE SENE NENW SWNW SENW NESE
NWSE SWSE SESE Sec 34 T 13S R 22E NENW NWNW
Sec 35 T 13S R 22E NESW NWSW SWSW SESE Sec
02 T 14S R 22E NENE SENE Sec 03 T 14S R 22E FOR
862 ACRES

45-4197
HINMAN, ORRA
BOX 33, MURTAUGH, ID 83344
Source: WASTE WATER trib. to DRY CREEK
Priority Date: 05/01/1945
Diversion Pt: LOT 07 Sec 06 T 11S R 20E
Use: IRRIGATION (0.40 CFS)
In: SWSW Sec 06 T 11S R 20E FOR 2 ACRES

45-4198
BRYANT PACKING CO.
1906 W. MAIN ST., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1942
Diversion Pt: SESE Sec 24 T 10S R 22E
Use: COMMERCIAL (0.05 CFS)
In: SESE Sec 24 T 10S R 22E

45-4199
BAKER, WADE
RT. 2 BOX 2400, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 06/10/1957
Diversion Pt: SWSE Sec 03 T 12S R 22E SWNE Sec
10 T 12S R 22E
Use: IRRIGATION (0.60 CFS)
In: NESW SWSW SESE Sec 02 T 12S R 22E FOR 30
ACRES

45-4200
CHRISTENSEN, EARL J.
RT. 1 BOX 1708, BURLEY, ID 83318
Source: SPRING trib. to MARSH CREEK
Priority Date: 05/01/1944
Diversion Pt: NWSW Sec 28 T 10S R 24E
Use: IRRIGATION (1.00 CFS)
In: NWSW NWSW SWSW SESE Sec 28 T 10S
24E FOR 40 ACRES

45-4206
BAILEY, FAUN SCHUTTE
BOX 133, DECLO, ID 83323
Source: GROUNDWATER
Priority Date: 09/19/1945
Diversion Pt: LOT 01 Sec 19 T 11S R 23E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.06 CFS)
In: NENE Sec 22 T 11S R 24E NWNE Sec 19 T 11S R
23E FOR 2 ACRES

45-4207
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 550 W. FORT ST.,
BOISE, ID 83724
Source: UNNAMED STREAM trib. to SINKS
Priority Date: 06/01/1968
Diversion Pt: NWNE Sec 35 T 14S R 22E
Use: STOCKWATER (0.5 AF)
WILDLIFE (0.5 AF)
In: NWNE Sec 35 T 14S R 22E

45-4208
BILL PLATTS MOBILE HOME COURT
RT. 2, 2032 HILLCREST LANE, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 05/15/1952
Diversion Pt: SWSW Sec 23 T 10S R 22E
Use: IRRIGATION (0.09 CFS)
DOMESTIC (0.44 CFS)
In: SWSW Sec 23 T 10S R 22E FOR 3 ACRES

45-4209
L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1963
Diversion Pt: SESE Sec 26 T 10S R 22E
Use: DOMESTIC (0.09 CFS)
In: SESE Sec 26 T 10S R 22E

45-4210
L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON,
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 07/01/1961
Diversion Pt: SENW Sec 29 T 10S R 23E
Use: IRRIGATION (0.02 CFS)
In: SENW Sec 29 T 10S R 23E FOR 1 ACRES

45-4211
L.D.S. CHURCH (BURLEY STAKE)
C/O DENNIS R. BYINGTON,
P.O. BOX 188, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 11/15/1952
Diversion Pt: SWNE Sec 29 T 10S R 23E
Use: IRRIGATION (0.08 CFS)
In: SWNE Sec 29 T 10S R 23E FOR 4 ACRES

45-4212
TUGAW, JOSEPH
MURTAUGH, ID 83344
Source: MOUNTAIN MEADOW CREEK trib. to SINKS
Priority Date: 04/01/1910
Diversion Pt: SENE Sec 21 T 12S R 20E SWNW Sec
22 T 12S R 20E
Use: IRRIGATION (1.20 CFS)
In: NENW NWNW SWNW Sec 14 T 12S R 20E FOR
80 ACRES

45-4213
TUGAW, JOSEPH
MURTAUGH, ID 83344
Source: SPRING trib. to DRY CREEK, EAST FORK
DRY CREEK, EAST FORK trib. to DRY CREEK
Priority Date: 01/01/1900
Diversion Pt: LOT 05 (SWNW) Sec 06 T 14S R 20E
SESE Sec 36 T 13S R 19E
Use: IRRIGATION (1.00 CFS)
DOMESTIC (0.02 CFS)
In: NESE SESE Sec 36 T 13S R 19E LOT 05 (SWNW)
SENW Sec 06 T 14S R 20E FOR 25 ACRES

45-4214
JAMES GRIMM & SONS
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 01/01/1934
Diversion Pt: SWSE Sec 36 T 10S R 20E
Use: DOMESTIC (0.06 CFS)
In: SWSE Sec 36 T 10S R 20E

45-4215
BAKER, WADE
RT. 2, BOX 2400, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversion Pt: SWSE Sec 35 T 11S R 22E
Use: IRRIGATION (5.00 CFS)
In: NWNE SWNE NWSE SWSE Sec 35 T 11S R 22E LOT
01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03
(NENW) LOT 04 (NWNW) SWNW SENW NESE NWSE
SWSE SESE Sec 02 T 12S R 22E LOT 04 (NWNW) LOT
05 (SWNW) Sec 01 T 12S R 22E FOR 659 ACRES

45-4216
BAKER, WADE
RT. 2 BOX 2400, BURLEY, IDAHO 83318
Source: GROUNDWATER
Priority Date: 04/01/1961
Diversion Pt: NWSE Sec 36 T 11S R 22E
Use: IRRIGATION (5.00 CFS)
In: NWNE SWNE NWSE SWSE Sec 35 T 11S R 22E LOT
04 (NWNW) LOT 05 (SWNW) Sec 01 T 12S R 22E
LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE LOT 03
(NENW) LOT 04 (NWNW) SWNW SENW NESE NWSE
SWSE SESE Sec 02 T 12S R 22E FOR 659 ACRES

45-4217

CRANNEY, HAROLD KEITH
OAKLEY, ID 83346
Source: GROUNDWATER
Priority Date: 04/15/1955
Diversion Pt: SESE Sec 31 T 12S R 22E
Use: IRRIGATION (3.00 CFS)
In: NENE NWNE SWNE NENW SENW NESW NWSE Sec
30 T 12S R 22E NESW SESW NESE NWSE SWSE SESE
Sec 31 T 12S R 22E FOR 520 ACRES

45-4218

HUTCHISON, WINSTON
RT. 3 BOX 3224, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 07/01/1958
Diversion Pt: NENE Sec 08 T 11S R 24E
Use: IRRIGATION (0.05 CFS)
In: NENE Sec 08 T 11S R 24E FOR 2 ACRES

45-4219

CRAWFORD, FRANK R. & or JEANE
2310 CONANT, BURLEY, ID 83319
Source: GROUNDWATER
Priority Date: 07/07/1948
Diversion Pt: SESE Sec 15 T 11S R 23E
Use: IRRIGATION (2.00 CFS)
In: NESE SESE Sec 15 T 11S R 23E FOR 80 ACRES

45-4220

GRAHAM, RAY C.
1655 JACKSON AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 08/01/1947
Diversion Pt: NWNE Sec 25 T 10S R 22E
Use: IRRIGATION (0.05 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 25 T 10S R 22E FOR 1 ACRES

45-4221

U.S. DEPT OF INTERIOR
BUREAU OF LAND MGMT.,
550 W FORT ST., BOISE, ID 83724
Source: UNNAMED STREAM trib. to ALASTRA
PONDS 1 & 2
Priority Date: 07/01/1965
Diversion Pt: NWNE SENE Sec 02 T 15S R 22E
Use: STOCKWATER (1.0 AF)
WILDLIFE (0.5 AF)
In: NWNE SENE Sec 02 T 15S R 22E

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

A. KENNETH DUNN, Director

Published in the South Idaho Press on September
8 and 15, 1983.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

Oct. 5
~~SEPTEMBER 27~~ 1983

JOSEPH TUGAN
MURTAGH

ID 83744

POOR QUALITY ORIGINAL

RE: Claim No. 45-4213

Dear Claimant:

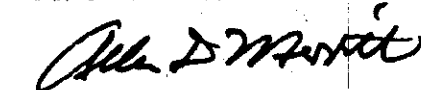
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

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

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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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:

45-4213-

TUGAW, JOSEPH

MURTAUGH, ID 83344

Source: SPRING trib. to DRY CREEK, EAST FORK
DRY CREEK, EAST FORK trib. to DRY CREEK

Priority Date: 01/01/1900

Diversion Pt: LOT 05 (SWNW) Sec 06 T 14S R 20E SESE Sec 36 T 13S R 19E

Use: IRRIGATION (1.00 CFS)
DOMESTIC (0.02 CFS)

In: NESE SESE Sec 36 T 13S R 19E LOT 05 (SWNW) SENW Sec 06 T 14S R 20E
FOR 25 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/8 & 9/15/83.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 1, 1983

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 26, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

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