Form No. 243
7/78

Claim No. 45- 4176

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 MARTIN M. FUNK (Name of Claimant)

Rte 2. Box 2042 Burley, IDA (Mailing Address) (Zip Code) Telephone No. 678-5083

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) 1962.

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) Period of Use From (Mo., Day)	To (Mo., Day)
Quantity	0.23 cfs	Use IRR.	4-15	11-15
Quantity		Use		
Quantity		Use		
Quantity		Use		
Quantity		Use		

(4) 0.23 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 2 Twp. 11S Rge. 21E B.M., County of CASSIA.
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. Well, motor, pump w/ Sprinklers.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	21E	2															13		13

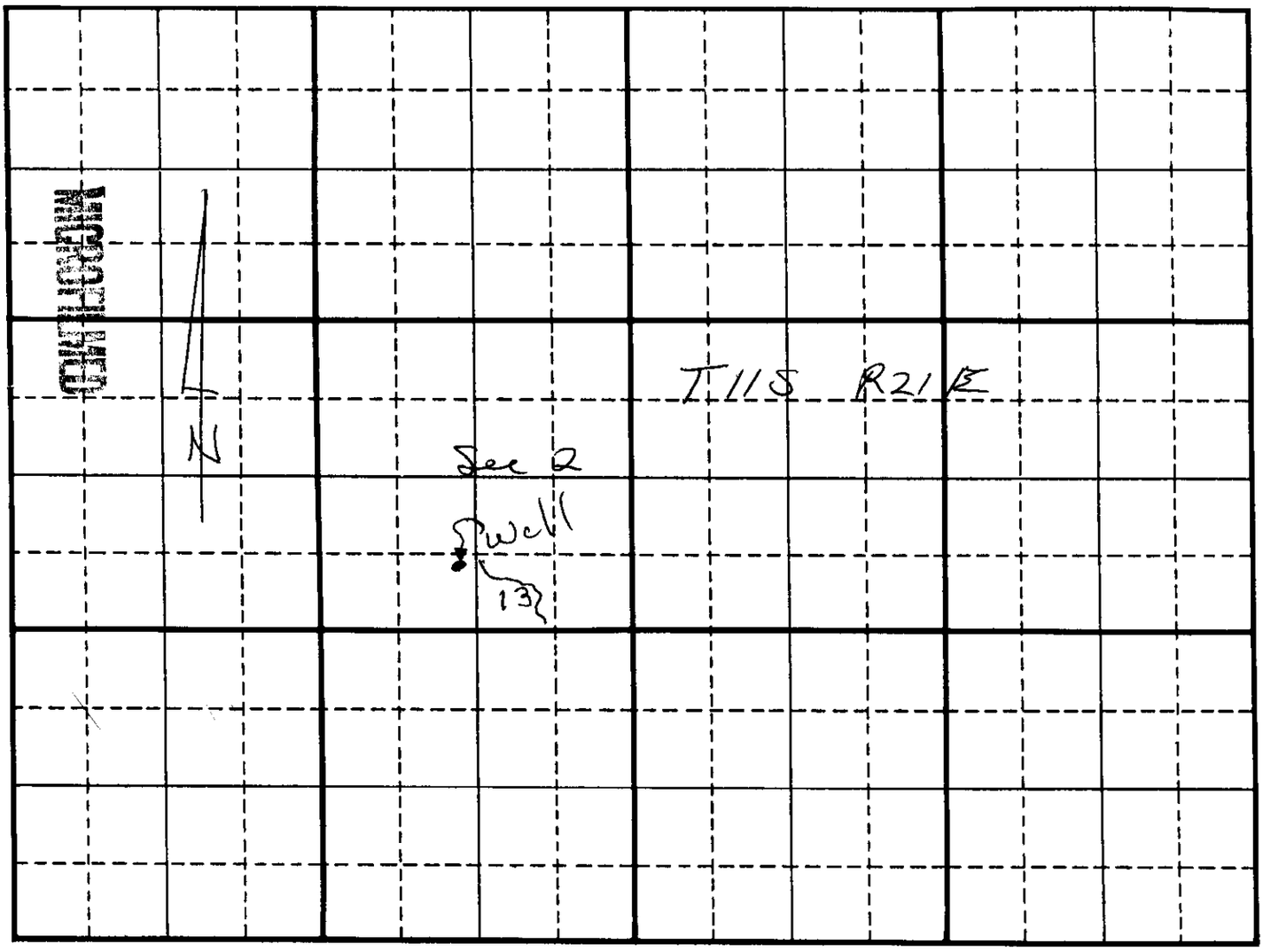
No. of acres 13

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: _____

(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)
) ss.
County of Cassia)

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.

X Martin M. Trent
(Claimant)

Sworn to before me this 13th day of April, 1983.

Cheryl L Sprengen
Notary Public
Residing at Burley, Idaho

My commission expires life

4/15/83

FOR DEPARTMENT USE ONLY

Received by Mafya	Date 4/13/83	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by	Date 4/20/83			
30.00 ~~$20.00~~ fee received by mafya	Date 4/15/83 # 27215			
Published in South Idaho Press				
Dates 5/4 & 5/11/83				

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Mary Summers, being first duly sworn, deposes and says that s he is the Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive weeks, commencing with the issue dated May 19th 19 83 and ending with the issue dated May 26th 19 83.

Mary Summers

Subscribed and sworn to before me this 31st day of May 19 83.

Kenneth Dunn Notary Public

Cost of Publication $ 53.30
Notary Fee .....
Total Cost $ 53.30

83-127

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:

43-4152

WARD, REUBEN A.
BOX 433, ELBA, ID 83326
Source: ROCKY CANYON trib. to SINKS
Priority Date: 10/15/1954
Diversion Pt: LOT 01 (SENW) Sec 30 T 13S R 25E
Use: IRRIGATION (6.00 CFS) STOCKWATER (0.02 CFS)
In: LOT 01 (NWNW) LOT 02 (SWNW) SENW NESW Sec 30 T 13S R 25E FOR 86 ACRES

43-4153

COTTLE, ALBERT J.
MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 10-30-1917
Diversion Pt: SESE Sec 11 T 13S R 26E
Use: IRRIGATION (0.06 CFS)
In: SWNW Sec 12 T 13S R 26E FOR 2.75 ACRES

45-4181

CURTIS, BURDELL
338 W. 13th, BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1910
Diversion Pt: SENW Sec 06 T 11S 25E
Use: STOCKWATER (0.02 CFS)
In: SENW Sec 06 T 11S R 25E

45-4180

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1964
Diversion Pt: SENW Sec 34 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SENW Sec 34 T 15S R 23E

45-4179

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1971
Diversion Pt: SWSW Sec 22 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SESE Sec 21 T 15S R 23E SWSW Sec 22 T 15S R 23E

45-4178

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1971
Diversion Pt: SWSE Sec 27 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SESW SWSE Sec 27 T 15S R 23E

45-4177

ADAMS, KYLE
OAKLEY, ID 83346
Source: LITTLE COTTONWOOD CREEK trib. to SINKS
Priority Date: 04/01/1961
Diversion Pt: NWSW Sec 01 T 14S R 21E
Use: IRRIGATION (2.60 CFS)
In: NESW NWSW SWSW SESW NWSE SWSE Sec 19 T 13S R 22E NENW NWNW SWNW SENW NWSW Sec 30 T 13S R 22E FOR 367 ACRES

45-4176

FUNK, MARTIN M.
RT. 2 BOX 2042, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/15/1962
Diversion Pt: SESW Sec 02 T 11S R 21E
Use: IRRIGATION (0.23 CFS)
In: SWSE Sec 02 T 11S R 21E FOR 13 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 in the South Idaho Press May 19 and 26, 1983.

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3579

JUNE 14, 1983

MARTIN M. FUNK
RT. 2 BOX 2042
SUPLEY ID 83716

RE: Claim No. 45-4176

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

ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

45-4126

FUNK, MARTIN M.

RT. 2 BOX 2042, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 04/15/1962

Diversion Pt: SESW Sec 02 T 11S R 21E

Use: IRRIGATION (0.23 CFS)

In: SWSE Sec 02 T 11S R 21E FOR 13 ACRES

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A. KENNETH DUNN

Director

Published 5/19 & 5/26.

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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

MAY 6, 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 JUNE 6, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.