

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1941 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3378

JANUARY 5, 1961

EDWARD L. KIRK ESTATE
C/O CHARLOTTE SMITH
RT. 1
MURTAUGH

ID 83344

RE: Claim No. 45-4139

Dear Claimant:

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

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

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

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

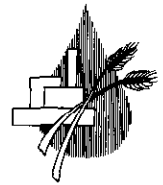
Yours truly,

Loren O. Holmes
LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

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 Edward L. Kirk Est. % Charlotte Smith
Rt. 1, Murtaugh, Idaho, 83344 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 678-5848

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, 1951

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)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.10</u>	Use <u>Domestic</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 _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.10 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 4 1/4, Sec. 5 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 with submersible pump delivers to pipeline supplying four homes

(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	5						X											
10S	21E	32											X						

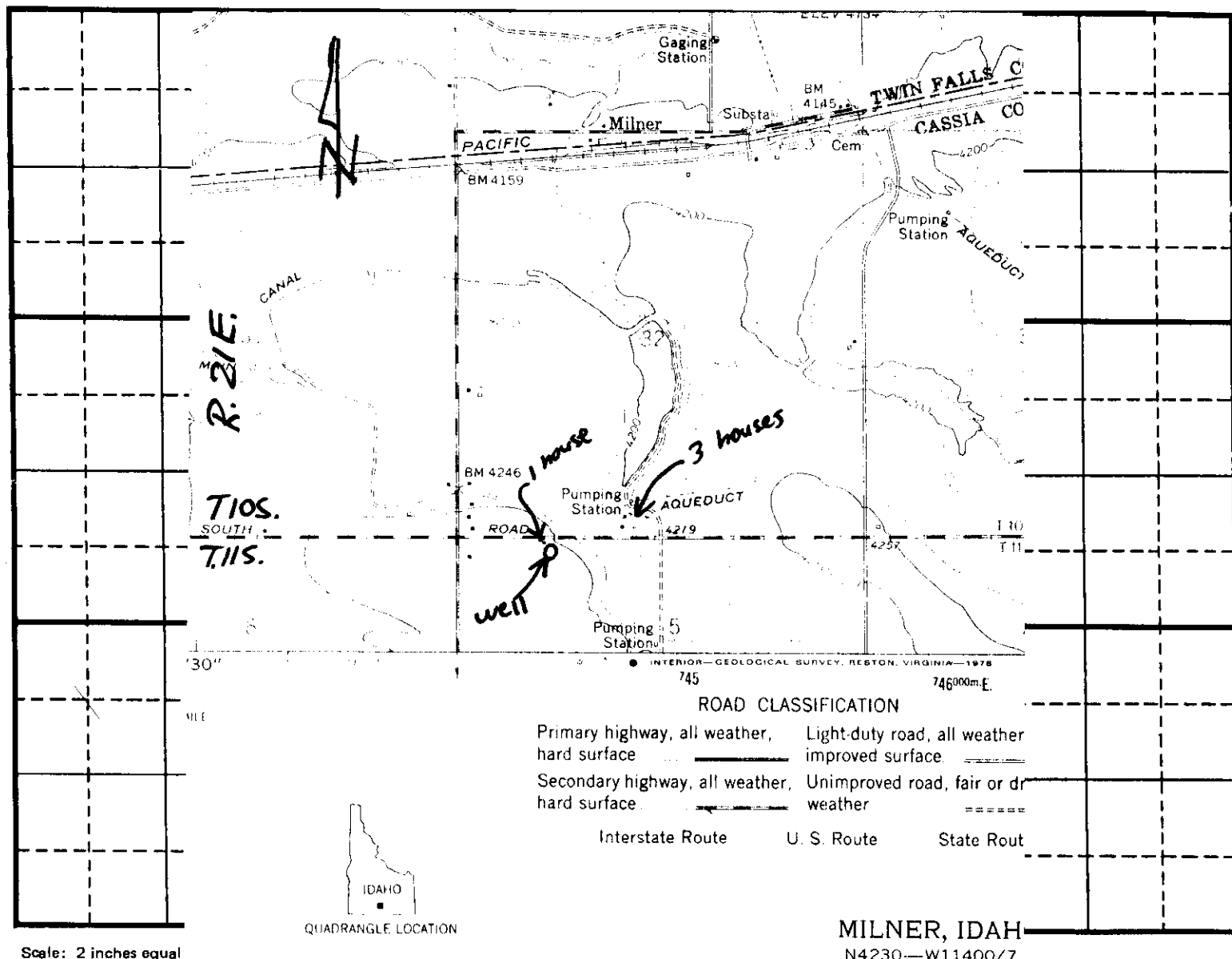
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is used for domestic purposes for four homes. One home in Sec. 5 and three in Sec 32.

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: _____

RECORDED



Map sheet _____
 section, township and range of the public land survey system.

1964 1-acre subdivisions.

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

Charlotte J. Smith
(Claimant)

Sworn to before me this 27 day of November, 1984

Notary Public
Residing at Quincy Falls, id 83301

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by ADW Date 11/27/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Longmeyer Date 12/3/81 claimant by: _____
\$20.00 fee received by maida Date 11-27-81 20672
Published in South Lake Press _____
Dates 12/10 + 12/17/81 _____

Dates 12/10
MICROFILMED

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 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 Two
consecutive weeks, commencing with the issue
dated December 10th 19 81, and ending
with the issue dated December 17th 19 81

Mary Summers

Subscribed and sworn to before me
this day of

19

Norman M. Peterson Notary Public

Cost of Publication \$ 14.95

Notary Fee

Total Cost \$ 14.95

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

MICROFILMED

01-338

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:

48-4139

EDWARD L. KIRK CREATOR & CHARLOTTE SMITH
RT. 1, MURTAUGH, ID. 83344. Source
GROUNDWATER. Date: 01/01/1981
Amount: 0.10 CFS. Diversion Point: LOT 04 SEC 04
T11S R 21E, CASSIA Co. Use: DOMESTIC (0.10 CFS)
from 01/01 to 12/31. Place of Use: LOT 04
(NORTH) Sec 05 T 11S R 21E SE 32 T 10S R
21E. Diversion Means: WELL, PUMP, PIPELINE.
Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 704) Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

A. KENNETH DUNN
Director
Published in the South Idaho Press Dec. 10 and
17, 1981.

D. Mayo

JAN 20 1982

Idaho Department of Water Resources
Southern District Office

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

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dated December 10th 1981, and ending
with the issue dated December 17th 1981

Mary Summers

Subscribed and sworn to before me
this _____ day of _____

1981

Thomas M. Stinson Notary Public

Cost of Publication \$ 14.95

Notary Fee _____

Total Cost \$ 14.95

NOTARY PUBLIC RESIDING
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

81-336

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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claim(s) to water right(s) have been established by
diversion and application to beneficial use:

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EDWARD L. KIRK ESTATE c/o CHARLOTTE SMITH,
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GROUNDWATER. Priority Date: 01/01/1951.
Amount: 0.10 CFS. Diversion Point: LOT 04 Sec 05
T11S R 21E, CASSIA Co. Use: DOMESTIC (0.10 CFS)
from 01/01 to 12/31. Place of Use: LOT 04
(NWNW) Sec 05 T 11S R 21E SESW Sec 32 T 10S R
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Twin Falls, Idaho 83301.

A. KENNETH DUNN
Director

Published in the South Idaho Press Dec. 10 and
17, 1981.

MICROFILMED

45-4139-

EDWARD L. KIRK ESTATE

C/O CHARLOTTE SMITH, RT. 1, MURTAUGH, ID 83344

Source: GROUNDWATER

Priority Date: 01/01/1951

Amount: 0.10 CFS

Diversion Point: LOT 04 Sec 05 T 11S R 21E, CASSIA Co.

Use: DOMESTIC (0.10 CFS) from 01/01 to 12/31

Place of Use: LOT 04 (NWNW) Sec 05 T 11S R 21E SESW Sec 32 T 10S R 21E

Diversion Means: WELL, PUMP, PIPELINE

ICE OF CLAIMS TO WATER RIGHTS

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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 12/10 & 12/17/81.

RECEIVED

JAN 21 1982

Department of Water Resources

WATER RIGHTS

DECLINED

81-336

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TO WATER RIGHTS**

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Twin Falls, Idaho 83301.

A. KENNETH DUNN
Director

Published in the South Idaho Press Dec. 10 and
17, 1981.

MICROFILMED

*ob
mayor
12/1/81*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 3, 1981

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 DECEMBER 28, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED
DEC 10 1981
TWIN FALLS, IDAHO