

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 1, 1981

JAMES MULLEN
KAREN MULLEN
BOX 199
OAKLEY

ID 83346

RE: Claim No. 45-4127

Dear Claimant:

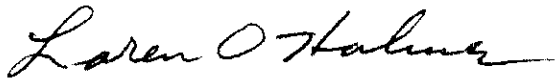
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

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

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

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

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 James &/or Karen Mullen
(Name of Claimant)
Box 199, Oakley, ID 83346 Telephone No. 862-3385
(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) 1945

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)
Blackenship Spring tributary to sinks

(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>0.70 cfs</u>	Use	<u>1 irrigation</u>	Period of Use From	<u>May 1</u> To <u>Aug 31</u>
Quantity	<u>0.04 cfs</u>	Use	<u>1 domestic</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity	<u>15 AFA</u>	Use	<u>2 storage for irrig.</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

(4) 0.74 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 3 Twp. 14S 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. Check dam to 300 gallon tank, pump from tank to home, Dirt pond 1 acre X 15' deep, 20 hp pump to sprinkler system, line from pond to stock troughs.

(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	
14S	21E	2						10	40										50
		3	10			20		Lt4											30
			Lt1																

No. of acres 80

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: 40 range cattle

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

(8) Remarks Water was used in 1880 for irrigation of 30-40 acres of orchard, but additional land was not put in until 1945. See also claim on Gillepsie Spring.

[illegible]

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 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 24th day of April 1981

James J. Webb
(Claimant)

Notary Public
Residing at _____ Twin Falls, ID

My commission expires Life

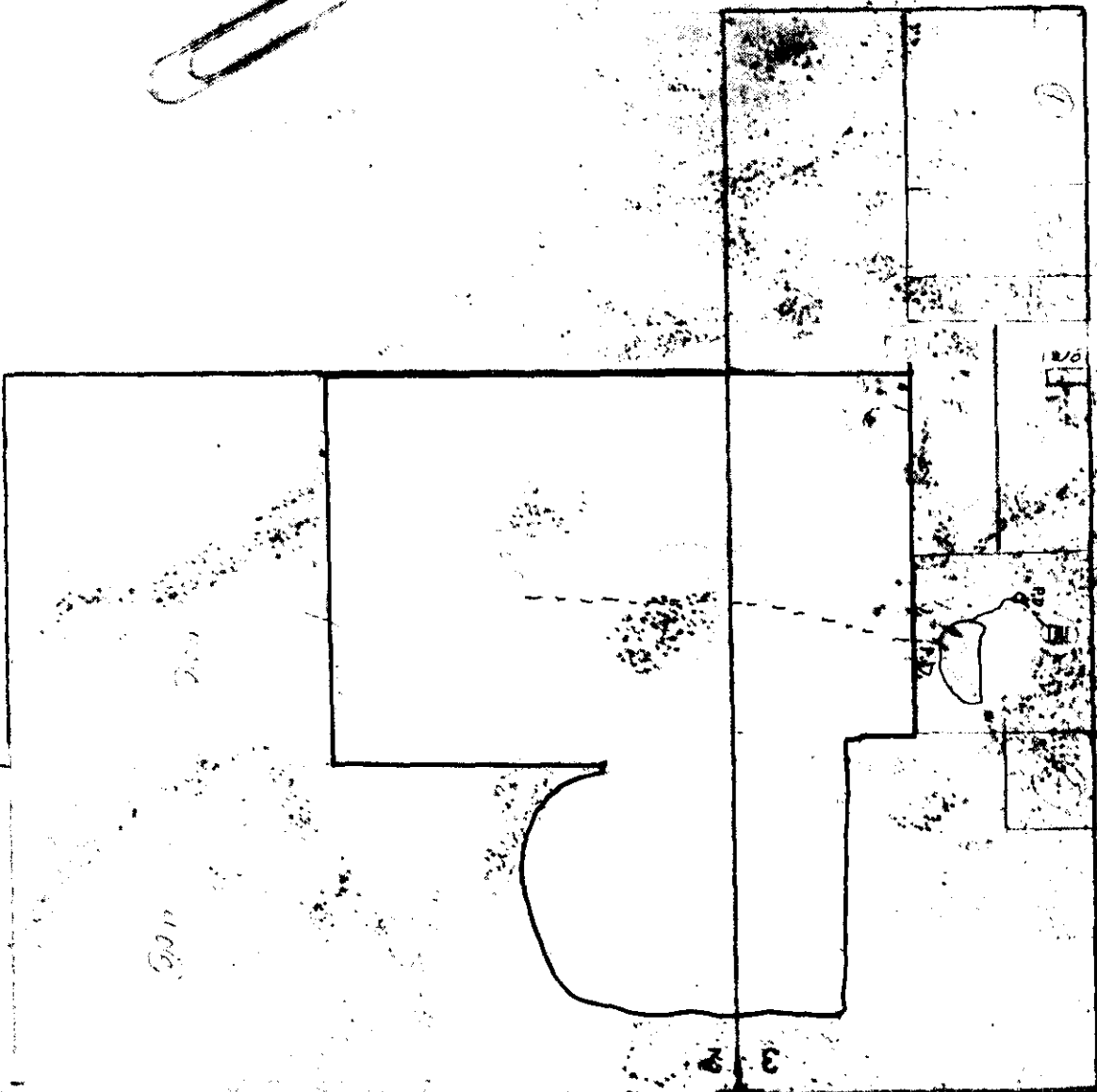
FOR DEPARTMENT USE ONLY

Received by JD Date 4-24-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 4/28/81 claimant by: _____
\$20.00 fee received by JD Date 4-24-81 \$16.98
Published in South Cedar Press _____
Dates 5/12 & 5/19/81 _____

10
11
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West



400

500

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2

MICROFILMED

R21E 314S

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 she 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 12 th 1981, and ending with the issue dated May 19 th 1981

Mary Summers

Subscribed and sworn to before me

this 28th day of May

1981.

Norma M. Peterson, Notary Public

Cost of Publication \$11.44

Notary Fee

Total Cost \$11.44

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

DX 199,
DAILY, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 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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 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 12th 1981, and ending with the issue dated May 19th, 1981.

Mary Summers

Subscribed and sworn to before me

this 28th day of May 1981.

Thomas M. Peterson Notary Public

Cost of Publication \$ 11.44

Notary Fee

Total Cost \$ 11.44

NOTARY PUBLIC RESIDING AT
BURLEY, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

45-4127

MULLEN, JAMES &/or KAREN, BOX 199, OAKLEY, ID 83346. Source: BLACKSHIP SPRING tributary to SINKS. Priority Date: 01/01/1945. Amount: 0.74 CFS 15.0 AC-FT. Diversion Point: SENE Sec 03 T 14S R 21E, CASSIA Co. Use: IRRIGATION (0.70 CFS) from 05/01 to 08/31. IRRIGATION STORAGE (15.0 AC-FT) from 01/01 to 12/31. STOCKWATER (0.70 CFS) from 05/01 to 08/31. DOMESTIC (0.04 CFS) from 01/01 to 12/31. Place of Use: LOT 04 (NWNW) SWNW Sec 02 T 14S R 21E LOT 01 (NENE) SENE Sec 03 T 14S R 21E FOR 80 ACRES. Diversion Means: CHECK DAM, PUMP, POND, SPRINKLER, TROUGHS.

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 12 and 19, 1981.

RECORDED

de maps

45-4127-

MULLEN, JAMES &/or KAREN

BOX 199, OAKLEY, ID 83346

Source: BLACKENSHIP SPRING tributary to SINKS

Priority Date: 01/01/1945

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Use: IRRIGATION	(0.70 CFS)	from 05/01 to 08/31
IRRIGATION STORAGE	(15.0 AC-FT)	from 01/01 to 12/31
STOCKWATER	(0.70 CFS)	from 05/01 to 08/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: LOT 04 (NNNW) SWNW Sec 02 T 145 R 21E LOT 01 (NENE) SENE
Sec 03 T 145 R 21E FOR 80 ACRES

Diversion Means: CHECK DAM, PUMP, POND, SPRINKLER, TROUGHS

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:

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 5/12 & 5/19/81.

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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

APRIL 29, 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 MAY 29, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

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MAY 1 1981
SOUTHERN REGION
DEPT. OF WATER RESOURCES
STATE OF IDAHO