

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 22, 1980

CLARENCE V. EGBERT

RT. 1

MURTAUGH

ID 83344

RE: Claim No. 45-4104

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

RECEIVED
MAY 6 1983

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 Clarence V. Egbert (Name of Claimant)
Route #1, Murtaugh, Idaho 83344 Telephone No. 432-5370
(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) 1946

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>0.08 cfs</u>	Use	<u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>0.02 cfs</u>	Use	<u>livestock</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 _____

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

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 11 Twp. 11S Rge. 20E B.M., County of Twin Falls
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. 6" X 244' well, submersible pump

(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	
11S	20E	11					X												

No. of acres _____

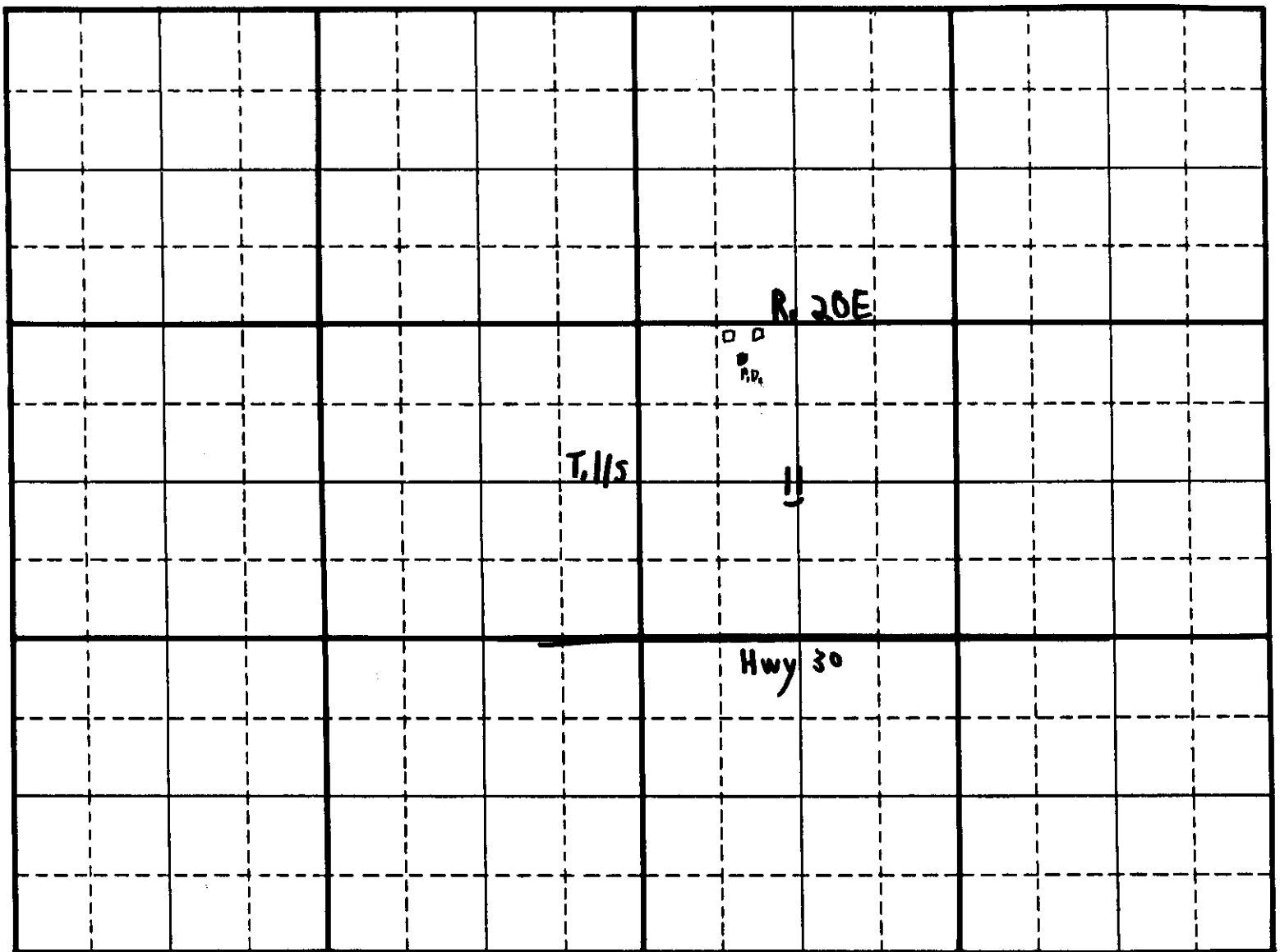
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic use for two homes

NOTE: Include here the type and number of stock watered: 25 range cattle

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

MICROFILMED

(8) Remarks Livestock was originally 25 head of dairy cattle, but these were replaced
with a like number of beef cattle about 1966.



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.

Charles R. Edert
(Claimant)

Sworn to before me this 6th day of March, 19 80.

Loris Daniels
Notary Public
Residing at Twin Falls

My commission expires Sept

FOR DEPARTMENT USE ONLY

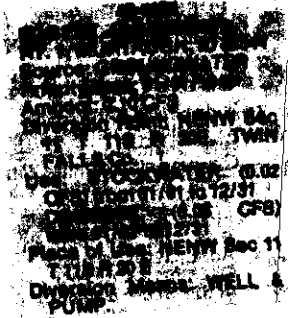
Received by <u>J. E. [unclear]</u>	Date <u>3-6-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. E. [unclear]</u>	Date <u>3-6-80</u>		claimant by:	
\$20.00 fee received by <u>[unclear]</u>	Date <u>3/6/80</u>			
Published in <u>Twin Falls News</u>				
Dates <u>4/3 + 4/10/80</u>				

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 9194



I, Linda Capps McHuie being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 3, 1980, and ending with the issue dated April 10, 1980.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McHuie
Subscribed and sworn to before me on this 16 day of

April, 1980
Melba Rowlett-Smith

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

ab
4/12/80

RECORDED

Affidavit of Publication

STATE OF IDAHO.

Nº 9194

COUNTY OF TWIN FALLS

ss.

45-4104
EGBERT, CLARENCE V.
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 01/01/1946
Amount: 0.10 CFS
Diversion Point: NENW Sec
11 T 11S R 20E, TWIN
FALLS Co.
Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31
DOMESTIC (0.08 CFS)
from 01/01 to 12/31
Place of Use: NENW Sec 11
T 11S R 20E
Diversion Means: WELL &
PUMP.

I, *Linda Capps McQuinn* being first duly sworn upon oath, depose and say that I am *Deputy Clerk* of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for *Two* consecutive *Weeks*, commencing with the issue dated *April 3*, 19*80*, and ending with the issue dated *April 10*, 19*80*.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

15 day of

Linda Capps McQuinn
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MARCH 20, 1980

Times News
P. O. Box 548
Twin Falls, Idaho 83301

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 billings to this office before APRIL 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

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:

45-4104-

EGBERT, CLARENCE V.

RT. 1, MURTAUGH, ID 83344

Source: GROUNDWATER

Priority Date: 01/01/1946

Amount: 0.10 CFS

Diversion Point: NENW Sec 11 T 11S R 20E, TWIN FALLS Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.08 CFS)	from 01/01 to 12/31

Place of Use: NENW Sec 11 T 11S R 20E

Diversion Means: WELL & 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 4/3 & 4/10/80.

MICROFILMED

ol
merge
4/2/00

45-4104
EGBERT, CLARENCE V.
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 01/01/1946
Amount: 0.10 CFS
Diversion Point: NENW Sec
11 T 11S R 20E, TWIN
FALLS Co.
Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31
DOMESTIC (0.08 CFS)
from 01/01 to 12/31
Place of Use: NENW Sec 11
T 11S R 20 E
Diversion Means: WELL &
PUMP.