

45-04032

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MAR 01 1996

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned to the department or the water right will revert to the state of Idaho.

Water Right Number 45-4032

Name(s) of Water Right Holder MASON CATTLE CO.

Mailing Address 3085 N 4500 E MURTAUGH 83344

Telephone Number 432-5533

Source of Water (Groundwater/Surface) _____

Extent of Use: Domestic 2 house (number of households)

Stockwater X 300 range cows (number and type of stock)

Irrigation X 250 yearlings (number of acres irrigated)

Other/Remarks Pipe run for over 3/4 mile 1 1/2 line

Total rate and/or volume of use August 23, 1958 cfs → 40 acre feet

Show the date water use will be or was resumed under this water right Oct 1, 1994

Person to contact to accompany the Department representative if a field examination is conducted:

Name Ted J. MASON Telephone No. 432, 5533

Address 3085 N 4500 E MURTAUGH IDAHO 83344

The above information is my true statement of the extent to which diversion and use of the above described water right has been resumed.

Date Feb. 15, 96 Signature Ted J. Mason **RECORDED**

MAR 28 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder Mason Cattle Co.
Post office address c/o J. J. Mason, 3080 E., 4500 N., Murfough, ID 83344
2. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - b. License No. _____ issued by the Department of Water Resources.
 - c. Claim No. 45-4032 on file with the Department of Water Resources.
3. Source of water Groundwater tributary to _____
(Name of stream or source)
4. Date of priority of right 8-23-1958
5. Amount of water a. 0.40 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from 4-15 to 10-1
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SE 1/4 SE 1/4 of Section 25
Township 11S, Range 19E, B.M., in Twin Falls County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
<u>11S</u>	<u>20E</u>	<u>30</u>										<u>LT3</u>	<u>LT4</u>						<u>80</u>

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Total number of acres irrigated 80

9. Give last date when water was applied to beneficial use ring of 1986
Length of extension of time requested 5 years, or until 4-15-1996
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Well is being shut off to reduce ground-water withdrawal at this site. In exchange for this, surface water is being made available thru the Southwest Irrigation District to irrigate this land. I would have done this sooner, but I thought that approval of Transfer #3723 would protect my water rights during the non-use period. 95-2270
-4032
-4121

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Ted J. Mason President
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of March, 19 92

Mary A. Balaban
(Notary Public)

My commission expires 10/16/1992

Residing at Gooding Id

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

1. Approval of this extension does not confirm the use claimed and does not preclude the review of the validity of the claimed right in the ongoing Snake River Basin Adjudication.
2. The applicant is required to resume use of the claimed water right on or before April 15, 1996.

Witness my hand this 31st day of December, 19 92.

J. Glen Saylor
for (Director)

For Department Use Only

Received by J. E. Stanton Date 3-23-92 Time 3:35 pm Preliminary check by SA
Fee \$ 50.00 Receipted by JE Date 3-23-92 Publication prepared by MB
Published in Times News Dates 10/29 + 11/5/92, 11/19 + 11/26/92
Publication approved by MB Date 12/9/92 Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for ☒ Approval ☐ Denial by MB

JAN 28 1993

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPROVED
Transfer No. 3723APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Mason Cattle Co. Phone 432-5533Post Office address 3085 N. 45 E., Murtaugh, ID 83344

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Wells will be turned over to The Southwest Recharge District for observation. Wells and described below will be watered with Snake River water leased from City of Twin Falls. Groundwater needs to be made appurtenant to this land to make the whole process legal. Wells will not be used. Most of the land below is already irrigated with surface water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-02270</u>	<u>9-14-1948</u>	<u>0.85</u>	<u>Irrig.</u>	_____ to _____
<u>45-04032</u>	<u>8-23-1958</u>	<u>0.40</u>	<u>"</u>	<u>4-15</u> to <u>10-1</u>
<u>45-04121</u>	<u>9-14-1948</u>	<u>1.34</u>	<u>"</u>	<u>3-15</u> to <u>11-15</u>
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.74 cubic feet per second and/or 608 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	25	11S	19E	Twin Falls	
		SE	SE	"	"	"	"	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	19E	24														6	37		43
		25																	
					34	25	8								38			4	109

APR 08 1992

Total acres 152

PART 1**6. General Information:**

- a. Description of diversion system Two wells & pumps.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ✓ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will still be irrigated with Dry Creek water & wastewater (when available).
- d. Remarks:
North well produces 1.34 cfs, The south well about 0.40 cfs.
Groundwater rights supplement surface rights as needed.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2270/4032/4121

And said application is hereby APPROVED, subject to the following limitations and conditions:

See the attached sheet for conditions of approval.

MICROFILMED

APR 08 1992

Witness my hand this 2nd day of January, 19 92

A. Glen Saxton
Chief, Water Allocation Bureau

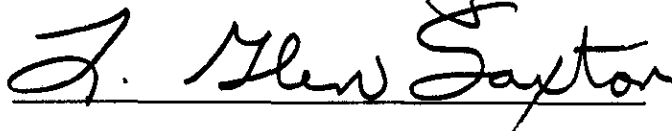
ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 45-2270/4032/4121

Transfer No. 3723

1. Approval of this transfer allows the groundwater rights above to be unstacked from earlier priority surface water rights. The priority dates of the rights above are hereby advanced to the date the transfer was received, or May 24, 1990.
2. Use of water under these rights are hereby considered trust water. Use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and re-evaluate the public interest at the end of the term.
3. Diversion and use of water under these rights are subject to annual use fees if rules are subsequently promulgated which provide for the submittal of the fees.
4. The Director retains jurisdiction of these rights to change, add, or remove any requirement as determined to be appropriate.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 2nd day of January, 1992.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-02270 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-14-1948

5. Water is used for the following purpose:

amount 0.85 cfs for Irrigation purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 0.85 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	25	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	19E	25													40				40
	20E	30										173 42							726

Total acres 100 112

9. Describe any other water rights used for the same purpose as described above 45-4032, -4121, -4109

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. 45-04032 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 8-23-1958

5. Water is used for the following purpose:

amount 0.40 cfs for Irrigation purposes from 4-15 to 10-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	25	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	30										1/4	1/4						80
												40	40						

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Total acres 80

9. Describe any other water rights used for the same purpose as described above 45-2270, 4121, 4109

PART 2

Transfer No. 5125

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 45-04121 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-14-1948

5. Water is used for the following purpose:

amount 1.34 cfs for Irrigation purposes from 2-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.34 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	25	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	19E	25													40				40
	20E	30										1+3							60

Total acres 100

9. Describe any other water rights used for the same purpose as described above 45-2270, -4032, -4109

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

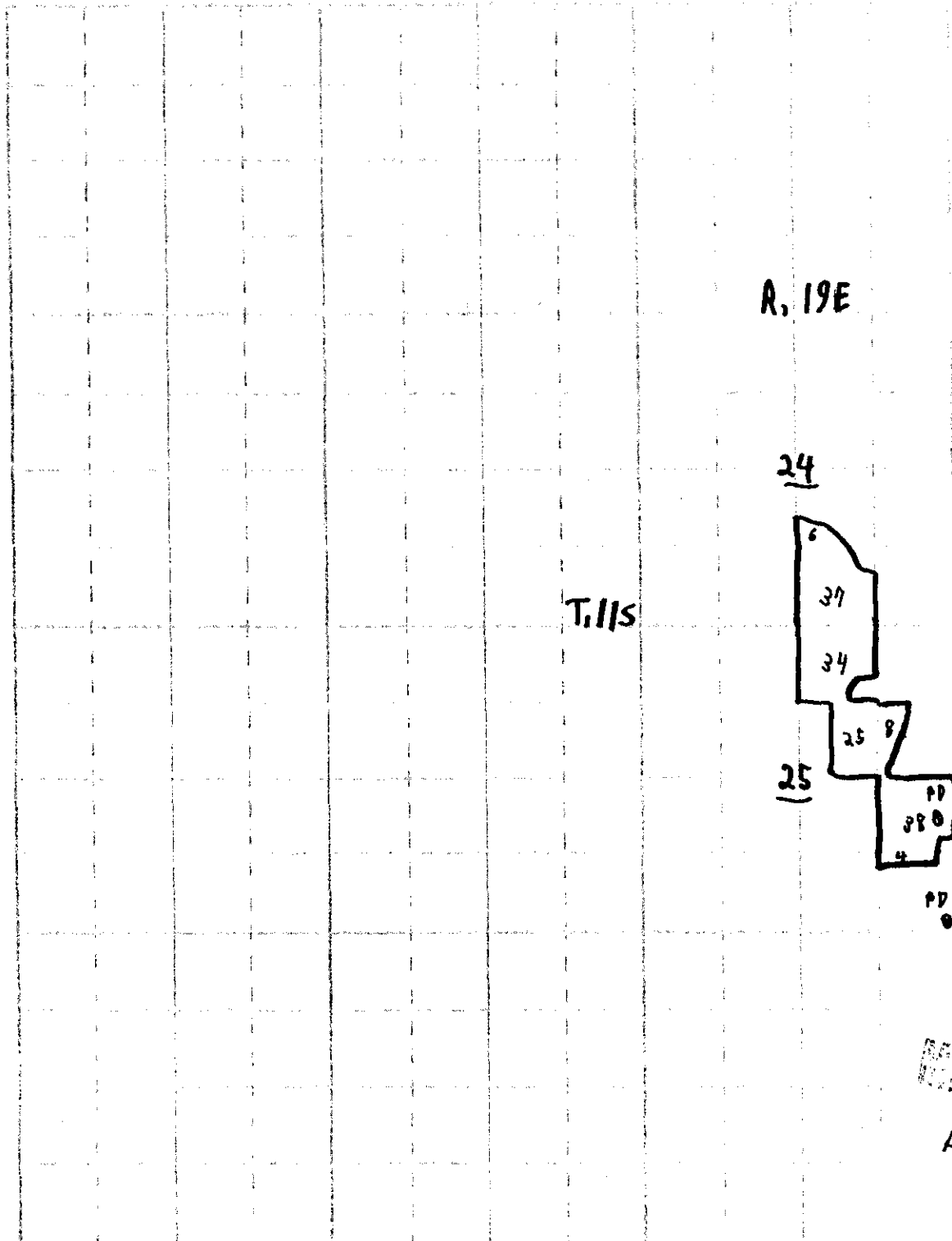
Total acres _____

UNPROCESSED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 24 day of May, 19 90.

Ted J. Trasson Pres.
(Signature of Applicant)

Lon White
(Notary Public)

My commission expires 5/94

FOR DEPARTMENT USE ONLYTransfer contains 10 pages and 3 attachmentsReceived by J. E. Stanton Date 5-24-90 Protest filed by _____Prelim. check by JRI Fee \$50, 5012338Received by jd Date 5-24-90Published in Times News Copies of protest forwarded by _____Pub. dates 7/5 & 7/12/90 Hearing held by _____ Date _____Watermaster recommendation requested on 6/18/90 N/A Recommended for ☒ approval ☐ denial_____ rec'd. by Let

Copy of transfer sent to lien holder _____

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NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 45-4032

Notice is hereby given that Claim to a Water Right No. 45-4032 in the name of Mason Cattle Company

was filed as follows:

Source: groundwater

Priority Date: August 23, 1958

Amount: 0.40 cfs

Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T.11S, R.19E, B.M., Twin Falls County

Use: irrigation purposes from April 15 to October 1 for 80 acres

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, R.11S, R.19E

Diversion Means: pump and well

Claim No. 45-4032 is hereby amended by Mason Cattle Company

as follows:

Source: groundwater

Priority Date: August 23, 1958

Amount: 0.40 cfs

Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T.11S, R.20E, B.M., Twin Falls County

Use: irrigation purposes from April 15 to October 1 for 80 acres

Place of Use: Lt 3, Lt 4, (W $\frac{1}{2}$ SW $\frac{1}{4}$)Sec. 30, T.11S, R.20E

Any exception to the Amended Claim to a Water Right must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301

C. STEPHEN ALLRED
Director

Published in Times News - October 30 and November 6, 1980

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**NOTICE OF
AMENDED CLAIM
TO A WATER RIGHT
NO. 45-4032**

Notice is hereby given
that Claim to a Water Right
No. 45-4032 in the name of
Mason Cattle Company was
filed as follows:

Source: groundwater
Priority Date: August 23,
1958

Amount: 0.40 cfs
Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 25, T.11S, R. 19E,
B.M., Twin Falls County

Use: Irrigation purposes
from April 15 to October 1
for 80 acres

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 25, R. 11S, R. 19E
Diversion Means: pump and
well

Claim No. 45-4032 is hereby
amended by Mason Cattle
Company as follows:

Source: groundwater
Priority Date: August 23,
1958

Amount: 0.40 cfs
Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 25, T.11S, R. 20E, B.M.,
Twin Falls County

Use: Irrigation purposes
from April 15 to October 1
for 80 acres

Place of Use: LI 3, LI 4,
(W $\frac{1}{2}$ SW $\frac{1}{4}$) Sec. 30, T.11S,
R. 20E

Any exception to the
Amended Claim to a Water
Right must be filed with the
Department of Water Re-
sources, 1041 Blue Lakes
Bvd. North, Twin Falls,
Idaho 83301

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Oct. 30,
and Nov. 6, 1980.

*ok
mays
10/28/80*

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.

P. O. BOX 543
TWIN FALLS

ID 87003

Forwarding & address correction requested

INVOICE NO.		CLASS		BILLING DATE	
24210		343		11/25/92	
INDEXING TERM					
45-4032					
START DATE			TELEPHONE NO.		
11/19/92			736-3033		
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
56	2		40.32	40.32	
AFFIDAVI			2.00	2.00	
PAY THIS AMOUNT			42.32	42.32	

GROSS AMT DUE AFTER 12/10

Department of Water Resources
Southern Region Office

DEC 08 1992

RECEIVED

RETURN THIS PORTION WITH YOUR REMITTANCE

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

232 SHOSHONE ST E
TWIN FALLS

ID 83301

11-19-92

MAILED
JAN 28 1993

NOTICE OF
APPLICATION
FOR EXTENSION OF
TIME TO AVOID
FORFEITURE OF A
WATER RIGHT
No. 45-4032

Notice is hereby given
that the Department of
Water Resources of the
State of Idaho has ap-
plied to the Department of
Water Resources for an
extension of time to avoid
forfeiture of a portion of a
water right No. 45-4032.
The right was established
in 1912 and is owned by a
trustee and is re-

corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1968

Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

R10E, Twin Falls County,

The water is used for irri-

gation of 80 acres from

4/15 to 4/15 in the Lot

3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

The extension is re-

corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1968

Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

R10E, Twin Falls County,

The water is used for irri-

gation of 80 acres from

4/15 to 4/15 in the Lot

3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

The extension is re-

corded as follows:

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Point of diversion:

SE 1/4, Sec 14, S25, T11S,

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The water is used for irri-

gation of 80 acres from

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3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

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R20E, Twin Falls County.

The extension is re-

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Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

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The water is used for irri-

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(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

The extension is re-

corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1968

Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

R10E, Twin Falls County,

The water is used for irri-

gation of 80 acres from

4/15 to 4/15 in the Lot

3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

The extension is re-

corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1968

Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

R10E, Twin Falls County,

The water is used for irri-

gation of 80 acres from

4/15 to 4/15 in the Lot

3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E, Twin Falls County.

The extension is re-

corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1968

Source: groundwater

Point of diversion:

SE 1/4, Sec 14, S25, T11S,

Affidavit of Publication

STATE IDAHO

COUNTY OF TWIN FALLS

SS.

No 24210

I, Linda Capps McBurne 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 November 19, 1992,
and ending with the issue dated November 26, 1992.

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 ex-
cept 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 first column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

JAN 28 1993

On this 26 day of November in the year of 1992, before me,
a Notary Public, personally appeared Linda Capps McBurne,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at

My commission expires:

Linda R. Feltman
Twin Falls
5/19/94

OK
MB
12-9-92

NOTICE OF
APPLICATION
FOR EXTENSION OF
TIME TO AVOID
FORFEITURE OF A
WATER RIGHT
No. 45-4032

Notice is hereby given
that MASON CATTLE
COMPANY, c/o J.J. Maon
of Murtaugh, ID has ap-
plied to the Department of
Water Resources for an
extension of time to avoid
forfeiture of a portion of a
water right No. 45-4032.
The right was obtained
and is evidenced by a
Statutory Claim and is re-
corded as follows:

Amount: 0.40 cfs

Priority: 8/23/1958

Source: groundwater

Point of Diversion:

SE 1/4 SE 1/4, S25, T11S,

R19E; Twin Falls County.

The water is used for irri-

gation of 80 acres from

4/15 to 10/1 within the Lot

3 (NW1/4SW1/4), Lot 4

(SW1/4SW1/4), S30, T11S,

R20E; Twin Falls County.

The extension is re-

quested to prevent loss of

the water right due to

non-use of the groundwa-

ter in exchange for surface

water available through

the Southwest Irrigation

District.

Any protests against the

approval of the above pro-

posed request described

above must be filed with

the Director, Dept. of Wa-

ter Resources, Southern

Region, 222 Shoshone

Street East, Twin Falls, ID

83301 on or before De-

cember 7, 1992.

R. Keith Higginson

Director

PUBLISH: Thursday, No-

vember 19 and 26, 1992.

Affidavit of Publication

STATE IDAHO }
COUNTY OF TWIN FALLS } ss.

NE 1/4 10

I, Sandra L. Feltman being first duly sworn upon oath, depose
and say that I am Editor 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 November 19, 1992,
and ending with the issue dated November 27, 1992.

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 ex-
cept 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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

JAN 28 1993

On this 27th day of November in the year of 1992, before me,
a Notary Public, personally appeared Sandra L. Feltman
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sandra R. Feltman
Notary Public for Idaho

Residing at Twin Falls

My commission expires: 5/19/94

R

Depart.
Sou.

12-1-92

~~RECEIVED~~ File 11 FEB 81

THE CLAMM SHOWS
P/D AT 11S, 20E
SHOULD BE CORRECTED
TO 11S, 19E

Gph

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED 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 Mason Cattle Co.
(Name of Claimant)
c/o T. C. Mason Route 2 Kimberly, ID 83341 Telephone No. 423-5746
(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) Aug. 23, 1958
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>0.40</u>	Use	<u>Irrigation</u>	Period of Use From <u>apr 15</u>	To <u>oct. 1</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) 0.40 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 25 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. 10 - inch well, 300 ft. deep, 25 HP electric 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	20E	30										40	40						80
												LT. 3	LT. 4						

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:

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

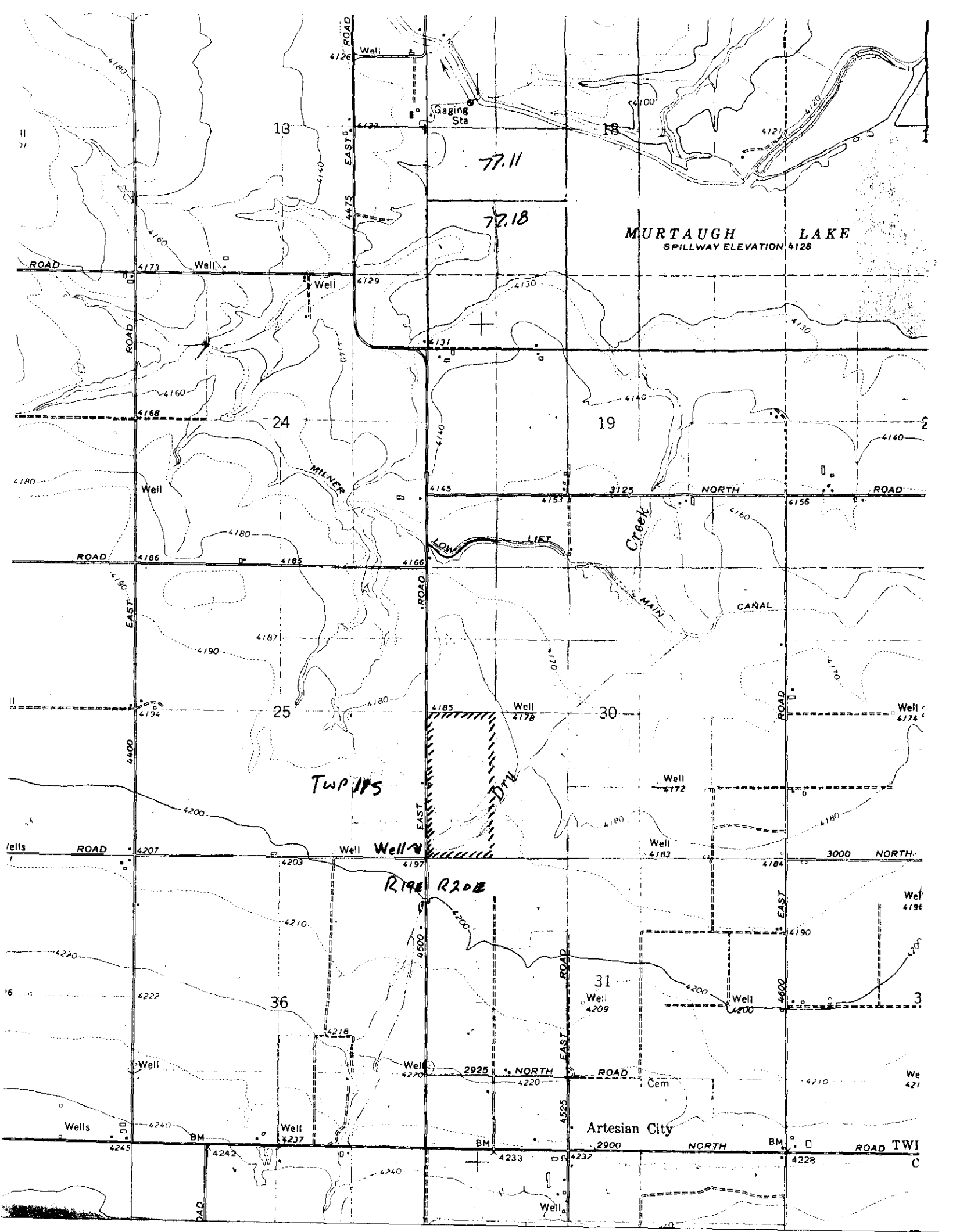
[illegible]

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.

Mason Cattle Co
(Claimant) J. E. Mason

My commission expires Life

Received by 24 Date 10-14-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by js Date 10-30-80
\$20.00 fee received by - Date - claimant by: _____
Published in Times News
Dates 10/30 & 11/6/80



NOTICE OF
AMENDED CLAIM
TO A WATER RIGHT
NO. 45-4032

Notice is hereby given that Claim to a Water Right No. 45-4032 in the name of Mason Cattle Company was filed as follows:

Source: groundwater
Priority Date: August 23, 1958

Amount: 0.40 cfs
Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 25, T.11S, R. 19E,
B.M., Twin Falls County

Use: Irrigation purposes
from April 15 to October 1
for 80 acres

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 25, R. 11S, R. 19E
Diversion Means: pump and
well

Claim No. 45-4032 is hereby
amended by Mason Cattle
Company as follows:

Source: groundwater
Priority Date: August 23,
1958

Amount: 0.40 cfs
Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 25, T.11S, R. 20E, B.M.,
Twin Falls County

Use: Irrigation purposes
from April 15 to October 1
for 80 acres

Place of Use: Lt 3, Lt 4,
(W $\frac{1}{2}$ SW $\frac{1}{4}$) Sec. 30, T.11S,
R. 20E

Any exception to the
Amended Claim to a Water
Right must be filed with the
Department of Water Re-
sources, 1041 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Oct. 30,
and Nov. 6, 1980.

Affidavit of Publication

N^o 10707

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

I, *Ronda Capps McBurne* being first duly sworn upon
oath, depose and say that I am *Prime Club* 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

October 30, 19 *80*, and ending with the issue dated
November 6, 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

Ronda Capps McBurne 19 *80*

18 day of

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

Identification No. 9

Claim No. 45-4032

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant MASON CATTLE CO.
post office address MURTAUGH IDAHO

2. The point of diversion is in S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Section 25 Township 11S
Range 19E B.M. located on Groundwater
(name of source)

tributary to _____ in TWIN FALLS County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

August 23-1958 amount: 170 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 15 to Oct 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped surfed ; depth of well is 300 feet; diameter of well is 10 inches; type of pump is Permining turbine
capacity of pump is 180 g.p.m.; name and address of well driller is Gray Bros Drilling
Kimberly ;

45-4032

attach well logs if available; has there been any change in pump or motor since well was first completed
no; if so, give dates and explain

c. Conveying works: length of ditch to place of use is ~~50~~ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 50 feet; diameter of pipe line is 6 inches; type of pipe Steel; grade of pipe per 1000 feet is _____. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible no increase

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 20

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) none

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities. _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

The output of the well was measured August 15 - 1963 by the examiner of the Department of water administration in connect ion with permit 452271

State of Idaho

County of Ada

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 affiants knowledge.

Sworn to before me this

24

day of

Feb.

1971

X Mason Cattle Co
Claimant J.C. Mason

Donald W. Eldon
Notary Public
Residing at Boise Idaho

My commission expires

2-18-74

rec'd #5678 given
For Department Use Only

Received by ij

Date 2/24/71

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by BDF

Date 2-24-71

Fee received by ij

Date 2-24-71

Fee \$ 10.00

Approved for publication by

Published in

Time News at
Twin Falls, Idaho

Dates 3-18 & 3-25, 1971

45 4032

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

No 357

I, Carolynne Jennings being first duly sworn upon oath, depose and say that I am five clerk of the TIMES-NEWS published daily, except Saturday, 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 Thursdays, commencing with the issue dated March 18, 1971, and ending with the issue dated March 25, 1971.

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, 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.

Carolynne Jennings
Subscribed and sworn to before me this 29th day of March, 1971.

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

45-4032

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

No. 357

NOTICE OF CLAIM TO A WATER RIGHT

_____ hereby gives that Mason
_____, Murtaugh, Idaho, has
claim to a water right
_____ by diversion and ap-
plication to beneficial use of 0.40
cubic feet per second of water from
a ground water source with point of
diversion in the SE¼SE¼ Sec. 25, T.
11S, R. 19E, B.M., Twin Falls
County.

The water is claimed to be used
from April 15 to Oct. 1 for irrigation
purposes with a priority of August
23, 1958 the place of use is within the
SW¼ SW¼ (Lot 4), Sec. 25, T. 11S,
R. 19E, B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho.

R. KEITH HIGGINSON
Director

Published in the Times-News,
Twin Falls, Idaho, on March 18 and
March 25, 1971.

I, Cordene Jennings being first duly sworn upon

oath, depose and say that I am five clerk of the TIMES-NEWS
published daily, except Saturday, 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 Thursdays, commencing with the issue dated
March 18, 1971, and ending with the issue dated
March 25, 1971.

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 con-
tinuously 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, 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.

Cordene Jennings
Subscribed and sworn to before me this 29th day of
March, 1971

William J. [Signature]
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

45 4032



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 4, 1996

Mason Cattle Company
3085 N 4500 E
Murtaugh, ID 83344

RESUMPTION OF WATER ACKNOWLEDGEMENT

RE: Water Right No. 45-04032

Dear Water Right Holder:

The Department acknowledges receipt of your statement of resumption of beneficial use submitted in connection with the above referenced water right.

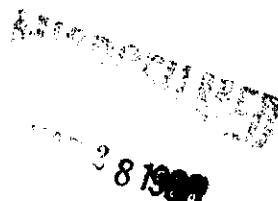
Pursuant to Section 42-222.2, Idaho Code, only one five (5) year extension of time to avoid forfeiture can be granted. It is, therefore, essential that you continue to use the water associated with this license. The Department cannot grant you another extension.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Regional Office





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 1996

Mason Cattle Company
c/o J.J. Mason
3090 E 4500 N
Murtaugh, ID 83344

NOTICE TO RESUME WATER USE

RE: Claim to a Water Right No. 45-04032

Dear Mr. Mason:

One of the conditions of approval of the applications for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced claim, is that beneficial use of water be resumed on or before April 15, 1996. Enclosed is a form, when submitted, will notify the department that you have again established beneficial use to the extent indicated on the form.

Failure to resume the use of water for the above referenced claim and to notify the department will be cause for the water to revert back to the state and again be available for appropriation.

Please fill out return the resumption form within sixty (60) days of receipt of this letter, and address any correspondence to my attention.

If you have any questions or if I can be of any assistance, please contact me directly at (208)327-7953.

Sincerely,


JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED

MAR 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 31, 1992

Mason Cattle Co
c/o J J Mason
3090 E 4500 N
Murtaugh, ID 83344

Re: Permit No. 45-04032

Dear Permit Holder:

Enclosed is a copy of your approved extension of time to avoid forfeiture of a water right.

Please note, you must resume beneficial use of the water to the extent authorized by the water right on or before April 15, 1996. Failure to do so may result in a loss of the water right.

The Department will notify you 60 days prior to that date and will ask that you submit a notice of resumption.

If you have any questions or if we can be of any further assistance, please feel free to contact the Department.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
JAN 28 1993

CF
EXTENSION OF TIME TO AVOID FORFEITURE MASON CATTLE CO.

ANALYSIS SHEET

1. INITIAL REVIEW BY: AT
2. RIGHT NUMBER 45-1032 APPLICANT Mason Cattle Co.
3. TYPE OF RIGHT: ☐ Decree ☐ License ☒ Claim
4. Is reason for request extension given on application?
____ Yes ____ No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☐ Period of Use
- (b) ☒ Description of Point(s) of Diversion
- (c) ☒ Description of Place of Use
- (d) ☒ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

- (a) ____ Copy of Tax Notice, Deed, or other _____
in file.
- (b) ____ County Assessor records. Date Contacted _____
7. Is the right in a Watermaster District? ____ Yes ☒ No Dist. ____
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by SA

- (a) Is Application published correctly? ☒ Yes ____ No
- (b) Protest Received? ____ Yes ☒ No

RECOMMENDED ACTION

☒ Approve
☐ Deny

Conditions: 1) Approval subject to findings
of SRBA

- 2) This approval prevents forfeiture of this right during
from 3/23/42.
- 3) This Approval shall not constitute proof of the
validity of this right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

12-Nov-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JJ MASON
MASON CATTLE CO
MURTAUGH ID 83344

Re: Application for Extension of Time to Avoid Forfeiture
No. 45-04032

Dear Mr. Mason:

We regret to inform you that due to the failure by the Times News to publish the legal on both originally requested dates, it will appear in the newspaper on 11/19 & 11/26/92. Ten days will be allowed after the second publication date for the submittal of protests.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

RECEIVED

JAN 28 1993

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

RECEIVED

OCT 16 1992

Department of Water Resources

No.45-4032

Notice is hereby given that MASON CATTLE COMPANY, c/o J.J. Mason of Murtaugh, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a portion of a water right No. 45-4032. The right was obtained and is evidenced by a Statutory Claim and is recorded as follows:

Amount: 0.40 cfs

Priority: 8/23/1958

Source: groundwater

Point of Diversion : SE1/4SE1/4, S25, T11S, R19E; Twin Falls County.

The water is used for irrigation of 80 acres from 4/15 to 10/1 within the Lot 3 (NW1/4SW1/4), Lot 4 (SW1/4SW1/4), S30, T11S, R20E; Twin Falls County.

The extension is requested to prevent loss of the water right due to non-use of the groundwater in exchange for surface water available through the Southwest Irrigation District.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 16, 1992.

R. Keith Higginson
Director

Published in Times News on 10/29 & 11/5/92.

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Oct-1992

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

JAN 28 1993

NOTICE OF APPLICATION
FOR EXTENSION OF TIME
TO AVOID FORFEITURE
OF A WATER RIGHT

No.45-4032

Notice is hereby given that MASON CATTLE COMPANY, c/o J.J. Mason of Murtaugh, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a portion of a water right No. 45-4032. The right was obtained and is evidenced by a Statutory Claim and is recorded as follows:

Amount: 0.40 cfs

Priority: 8/23/1958

Source: groundwater

Point of Diversion :
SE1/4SE1/4, S25,
T11S, R19E; Twin
Falls County.

The water is used for irrigation of 80 acres from 4/15 to 10/1 within the Lot 3 (NW1/4SW1/4), Lot 4 (SW1/4SW1/4), S30, T11S, R20E; Twin Falls County.

The extension is requested to prevent loss of the water right due to non-use of the groundwater in exchange for surface water available through the Southwest Irrigation District.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 16, 1992. *Dec. 7, 1992*

R. Keith Higginson
Director

Published in Times
News on 10/29 &
11/5/92.

11/19 + 11/26

MICROFILMED

JAN 28 1993

MEMORANDUM

TO: File 45-04032
FROM: Mary Baldwin
DATE: 12-Nov-1992
SUBJECT: Advertising

Received a t/c this a.m. from Karen of Times News who reported that the legal scheduled for 10/27 & 11/5/92 ran on 10/27 but did not appear on 11/5/92 due to an error by the Times News.

Since it is mandatory by statute that the advertising appear twice consecutively, I advised the Times News to publish on 11/19 & 11/26/92 and to change the last date for submitting protest to December 7, 1992.

RECEIVED

JAN 28 1993

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.45-4032

Notice is hereby given that MASON CATTLE COMPANY, c/o J.J. Mason of Murtaugh, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a portion of a water right No. 45-4032. The right was obtained and is evidenced by a Statutory Claim and is recorded as follows:

Amount: 0.40 cfs

Priority: 8/23/1958

Source: groundwater

Point of Diversion : SE1/4SE1/4, S25, T11S, R19E; Twin Falls County.

The water is used for irrigation of 80 acres from 4/15 to 10/1 within the Lot 3 (NW1/4SW1/4), Lot 4 (SW1/4SW1/4), S30, T11S, R20E; Twin Falls County.

The extension is requested to prevent loss of the water right due to non-use of the groundwater in exchange for surface water available through the Southwest Irrigation District.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 16, 1992.

R. Keith Higginson
Director

Published in Times News on 10/29 & 11/5/92.

RECEIVED

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

15-Oct-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

MASON CATTLE CO
C/O JJ MASON
3080 E 4500 N
MURTAUGH ID 83344

Re: Application for Extension of Time To Avoid Forfeiture,
No. 45-04032

Dear Mr. Mason:

The Department of Water Resources acknowledges receipt of your application for extension of time to avoid forfeiture as referenced above.

This office will be advertising the application in the Times News on 10/29 & 11/5/92. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECEIVED

JAN 28 1993

Water Right Number - 45-04032

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
MASON CATTLE CO.

1 - C/O T.C. MASON
2 - RT. 2
3 -
City- KIMBERLY
Phone -
State- ID Zip- 83341

Priority Date - +
08/23/1958

Region - +
17 SOUTHERN

Stage - +
S - STATUTORY CLAIM

Status - +

Source - +
GROUNDWATER

Tributary - +

Twn Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code)
11S 19E 25 SE SE (83) TWIN FALLS

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/01 0.400

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +
0.400

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11S	20E	30	NW SW	3	40.0	01	IRRIGATION	(83) TWIN FALLS
11S	20E	30	SW SW	4	40.0	01	IRRIGATION	(83) TWIN FALLS
Total Acres:					80.0			

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

AMENDED CLAIM INCORRECTLY DESCRIBES P/D AS SESE, S25, T11S, R20E.

- - - Old Water Right Numbers
No Old Water Right Numbers found.

- - - Conditions of Approval
No Conditions of Approval found.

- - - Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - +
00/00/0000

RECEIVED
JAN 28 1993

MEMORANDUM

TO: Files 45-04032 & 45-04121

FROM: Brenda L. Miller *Blm*

DATE: December 31, 1991

RE: Transfer No. 3723

See file 45-02270 for all correspondence regarding the above
referenced transfer.

MICROFILMED

APR 08 1992

INTER-DEPARTMENT MEMO — 1

FROM Bob Haynes

DATE 5-16-85

TO File 45-4032

SUBJECT Amended claim 45-4032 incorrectly describes P.D. as being in SESE Sec 25 T11S R20E. It is in fact in SESE Sec 25 T11S, R19E. There is a map accompanying the claim which correctly describes the legal.

MICROFILMED

Bob Haynes

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

December 3, 1980

Mason Cattle Company
% T. C. Mason
Route 2
Kimberly, Idaho 83341

Re: Amended Claim No. 45-4032

Dear Mr. Mason:

The Department of Water Resources has completed the advertising of your amended 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 amended claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes
LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

State of Idaho
Department of Water Resources

AMENDED CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 45-4032 45-4032 Amended Applicant Mason Cattle Company

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 12/5/80

MICROFILMED

DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant MASON CATTLE CO.
post office address MURTAUGH IDAHO
2. The point of diversion is in S.E. 1/4 of S.E. 1/4 Section 25 Township 11S
Range 19E B.M. located on Groundwater
(name of source)
- tributary to _____ in TWIN FALLS County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

August 23-1958 amount: 40 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 15 to Oct 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____, length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 300 feet; diameter of well is 10 inches; type of pump is Electric
capacity of pump is 100 g.p.m.; name and address of well driller Boyd, Carl
Boyd, Carl

MICROFILMED

45-4032

d. If water is stored: name of reservoir _____ ;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____ ; year completed _____ ; date first used _____
period of storage is from _____ to _____ ; is reservoir drained each year _____ ;
is reservoir on or off stream _____ explain _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[illegible]

Total number of cases by age group:

October 23, 1980

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

Re: Notice of Amended Claim to a Water Right No. 45-4032

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

June 28, 1971

Re: Permit No. 45-2271

45-4032

Mr. T. C. Mason
Mason Cattle Company
Kimberly, Idaho 83341

Dear Mr. Mason:

Permit No. 20654/45-2271 in the name of W. R. Oliver was subject to cancellation for failure to submit adequate proof of beneficial use. Since this permit was personal property in belonging to Mr. Oliver, only a person who received the permit by assignment from Mr. Oliver or from the administrator of his estate could function under this permit.

It was probably with this advise that you filed Claim to a Water Right No. 45-4032 and paid a \$10 fee to file the claim. The claim alledged the same water right as covered under the above referenced permit. With this claim, you have claimed the same water right as would have been perfected by means of the permit. The Department had no other course other than to cancel the permit as indicated in our May correspondence. Any water right that was established is covered by your claim and the permit originally to Mr. Oliver has been allowed to go by the way-side.

If you still have any other questions in this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

45-4032

MICROFILMED

April 7, 1971

Re: Claim to a Water Right No. 45-4032

Mason Cattle Company
Murtaugh, Idaho 83344

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

45-4032
MAY 11 1971

March 10, 1971

Re: Claim No. 45-4032 - Mason Cattle Co.

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DR
Enc: legal notice

*Bill submitted
3-30-71
ds*

45-4032

NOTICE OF CLAIM TO A WATER RIGHT

No. 45-4032

Notice is hereby given that Mason Cattle Co., Murtaugh, Idaho,

has filed a claim to a water right established by diversion and application to beneficial use of 0.40 cubic feet per second ~~444/944~~ of water from a ground water source with point of diversion in the SE~~1~~SE~~1~~ Sec. 25, T. 11S, R. 19E, B.M.,
Twin Falls, County.

The water is claimed to be used from April 15 to Oct. 1 for
irrigation purposes with a priority of August 23, 1958;
the place of use is within the SW~~1~~SW~~1~~ (Lot 4), Sec. 25, T. 11S,
R. 19E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Times News, Twin Falls, Idaho,
on March 18 and March 25, 1971.

K.H.

45-4032