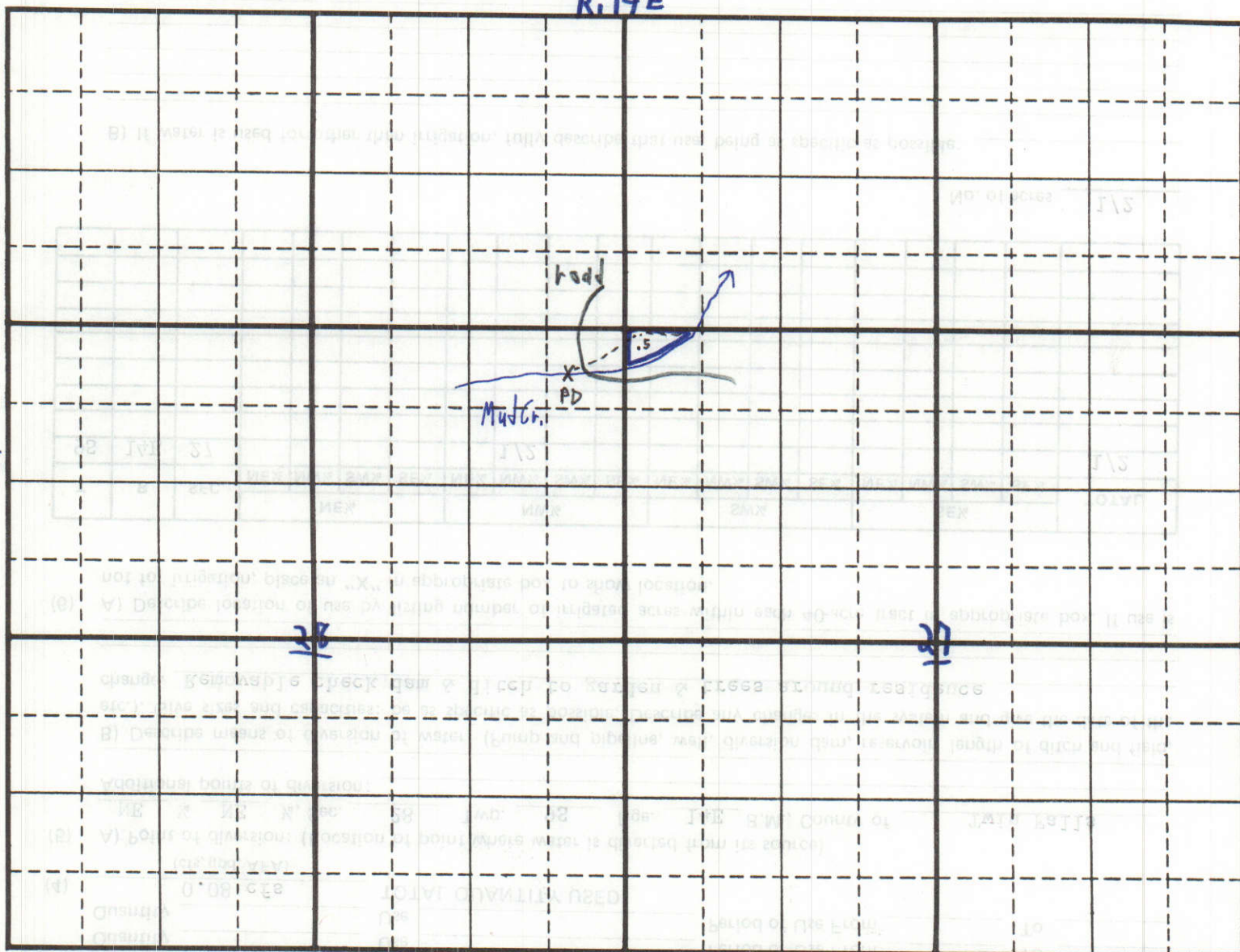


MICROFILMED

- (8) Remarks Claim 47-4048 also shows use on this land, but was never actually used here.
The land is north of Mud Creek, and not reachable by the ditch from Wilson
Creek.

R.14E



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.

[Signature]
(Claimant)

Sworn to before me this 24th day of May, 1985.

Mary A. Newby
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 7-11-85 Exception filed by: [Signature] Fowarded to [Signature] Date [Signature]
Prelim. check by [Signature] Date 7-15-85 claimant by: [Signature]
\$30.00 fee received by [Signature] Date 7-11-85
Published in [Signature] [Signature] [Signature]
Dates 8/8 + 8/15/85

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:

47-4507
IRWIN REALTY INC.
C/O RICHARD G. IRWIN,
PRES., RT. 1, KIMBERLY, ID 83341

Source: Ground water
Priority Date: 03/30/1960

Diversion Pt: SWSE
Sec 07 T 10S R 18E
Use: DOMESTIC (0.08 CFS)

In: SWSE SESE Sec 07 T 10S R 18E

47-4508
SOUTHERN IDAHO PRODUCTION CREDIT ASSN.

1334 Falls Ave. Suite 1050, Twin Falls, ID 83301

Source: UNNAMED STREAM trib. to DEEP CREEK

Priority Date: 04/01/1948

Diversion Pt: SESW
Sec 16 T 10S R 14E

Use: Irrigation (1.80 CFS)

In: NESW NWSW
SESW Sec 16 T 10S R 14E FOR 90 ACRES

47-4509
MUNK, ALBERT J.
RT. 3 BOX 290, BUHL, ID 83316

Source: MUD CREEK

trib. to SNAKE RIVER
Priority Date: 03/15/1971

Diversion Pt: NENE
Sec 28 T 09S R 14E

Use: Domestic (0.08 CFS)

In: NWNW Sec 27 T 09S R 14E

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

PUBLISH: Thursdays, August 8. and 15, 1985.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 15367

I, Linda Coppe McNamee 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 one consecutive week, commencing with the issue dated

August 8, 1985, and ending with the issue dated August 15, 1985.

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 August 8, 1985 day of

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

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 Albert J. Munk
(Name of Claimant)
Route #3, Box 290, Buhl, ID 83316 Telephone No. 543-5646
(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) Mar 15, 1971

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)
Mud Creek tributary to Snake River

(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>Mar 15</u>	To <u>Oct 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.08 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 NE 1/4, Sec. 28 Twp. 9S Rge. 14E 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. Removable check dam & ditch to garden & trees around residence

(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	
9S	14E	27						1/2											1/2

No. of acres 1/2

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

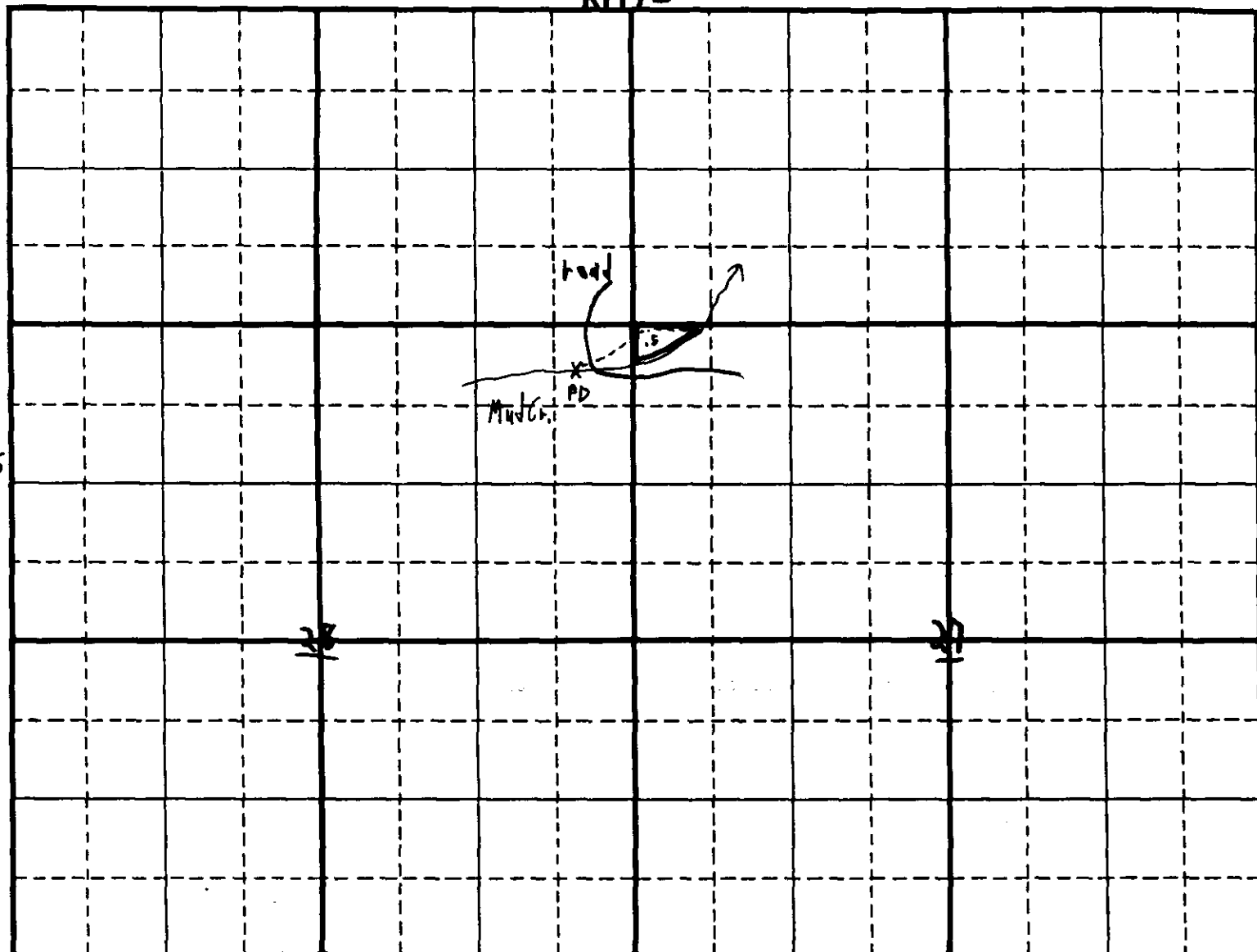
NOTE: Include here the type and number of stock watered:

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

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(8) Remarks Claim 47-4048 also shows use on this land, but was never actually used here.
The land is north of Mud Creek, and not reachable by the ditch from Wilson
Creek.

R.14E



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.

[Signature]
 (Claimant)

Sworn to before me this 24th day of May, 1985.

[Signature]
 Notary Public
 Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 7-11-85 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by [Signature] Date 7-15-85 claimant by: _____
 \$30.00 fee received by [Signature] Date 7-11-85
 Published in Times Review [Signature]
 Dates 8/8 + 8/15/85 [Signature] [Signature]

**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:

47-4507

IRWIN REALTY INC.
C/O RICHARD G. IRWIN,
PRES., RT. 1, KIMBER-
LY, ID 83341

Source: Ground water
Priority Date: 03/30/
1960

Diversion Pt: SWSE
Sec 07 T 10S R 18E
Use: DOMESTIC (0.08
CFS)

In: SWSE SESE Sec 07
T 10S R 18E

47-4508
SOUTHERN IDAHO
PRODUCTION CREDIT
ASSN.

1334 Falls Ave. Suite
1050, Twin Falls, ID 83301
Source: UNNAMED
STREAM trib. to DEEP
CREEK

Priority Date: 04/01/
1948

Diversion Pt: SESW
Sec 16 T 10S R 14E
Use: Irrigation (1.80
CFS)

In: NESW NWSW
SESW Sec 16 T 10S R
14E FOR 90 ACRES

47-4509
MUNK, ALBERT J.
RT. 3 BOX 290, BUHL,
ID 83316
Source: MUD CREEK

trib. to SNAKE RIVER
Priority Date: 03/15/
1971

Diversion Pt: NENE
Sec 28 T 09S R 14E
Use: Domestic (0.08
CFS)

In: NWNW Sec 27 T
09S R 14E

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
PUBLISH: Thursdays,
August 8. and 15, 1985.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 15367

I, Anda Lopp, Notary Public, being first duly sworn up
oath, depose and say that I am Anda Lopp 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 one
consecutive one, commencing with the issue dated

August 8, 1985, and ending with the issue dated
August 15, 1985.

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 com-
petent 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 there-
of, 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 August, 1985.

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

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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

~~Sept 17~~
~~AUGUST 26, 1985~~

ALBERT J. MUNK
RT. 3 BOX 290
BUHL

ID 83316

RE: Claim No. 47-4509

Dear Claimant:

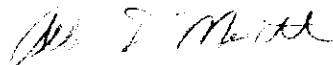
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

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

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

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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RECEIVED

SEP 9 1985

Department of Water Resources
Southern District Office

September 9, 1985

Regarding Water Claim # 474509

This is to take exception to said Claim; They have not used water from the point stated in Claim in the past 10 years.

Glenn W. Zack

Rich. E. Zack

P.O. Box 291
Buhl, Ida. 83316

Subscribed and sworn before me this 9th day of September, 1985.

My commission expires

Life

Mary A. Newkirk
Residing: Twin Falls, ID 83301

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 12, 1985

Albert J. Munk
Rt. 3 Box 290
Buhl, Idaho 83316

Re: Claim to a Water Right No.

Dear Mr. Munk:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right submitted by Glen W. & Ruth E. Zack.

The following is a quote from the provisions under which this claim has been filed (Section 42-243b. of the IDAHO CODE):

422-243b Recording of claims by Department, Corrections

"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim ;in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 12, 1985

Glen W. & Ruth E. Zack
Rt. 3 Box 291
Buhl, Idaho 83316

Re: Claim to a Water Right No 47-4509

Dear Mr. & Mrs. Zack:

We are in receipt of your exception to a Claim to a Water Right filed by Albert J. Munk.

The following excerpt from Section 42-243b of the IDAHO CODE explains what has been done and what will be done in regards to the exception you have filed:

422-243b Recording of claims by Department, Corrections

"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim ;in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

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:

42-4503.

MUNK, ALBERT J.

RT. 3 BOX 290, BUHL, ID 83316

Source: MUD CREEK trib. to SNAKE RIVER

Priority Date: 03/15/1971

Diversion Pt: NENE Sec 28 T 09S R 14E

Use: DOMESTIC (0.08 CFS)

Int: NWNW Sec 27 T 09S R 14E

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 8/8 & 8/15/85.

MICROFILMED

47-4509

MUNK, ALBERT J.
RT. 3 BOX 290, BUHL,
ID 83316

Source: MUD CREEK
trib. to SNAKE RIVER
Priority Date: 03/15/
1971

Diversion Pt: NENE
Sec 28 T 09S R 14E
Use: Domestic (0.08
CFS)

In: NWNW Sec 27 T
09S R 14E

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

PUBLISH: **Thursdays,**
August 8, and 15, 1985.

cd
Munk
8/2/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY 31, 1985

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 billing to this office before AUGUST 26, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

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