

c. Describe the land or place of use to which the right will be transferred:

NO CHANGE

[illegible]

Total number of acres to be irrigated n/a

4. Describe any other water rights used for the same purpose as described above. none
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

MICROFIL MED

3
0
=

Many others available

32 acres Jerome

66 acres Buhl

55 acres Jerome

40 acres Hunt

93 acres Kimberly

10 acres at Buhl hydro-

10 acres Kimberly

ROW CROP

ng. \$340,000. Call Dick at 8.

min Realty 734-6500.

BARNES REALTY

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 14255

I, Linda Copps McBain 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

August 16, 1984, and ending with the issue dated
August 23, 1984.

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

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

Linda Copps McBain
Subscribed and sworn to before me on this 23 day of

August, 1984.
Gladie J. Sawcett
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED

AUG 31 1984

Department of Water Resources
Southern District Office

RECEIVED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

No. 47-4494

Notice is hereby given that City of Twin Falls, Idaho has applied to the Department of Water Resources for a change of point of diversion of a right from a spring/to a well tributary to Dierkes Lake. The right sought to be changed is evidenced by a claim No. 47-4494 and is recorded as follows:

Amount: 0.50 cfs
SOURCE: Spring tributary to Dierkes Lake

Priority: July 1, 1969

Point of Diversion:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S,
R18E, B.M. Twin Falls
County.

The water is used for domestic purposes from Jan 1. to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S, R18E

TO BE CHANGED AS
FOLLOWS:

Amount: Same

SOURCE: well

Point of Diversion:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S,
R18E, B.M., Twin Falls
County

Place of Use: No
change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before Sept. 3, 1984.

A. Kenneth Dunn
Director

PUBLISH: **Thursdays,**
August 16, and 23, 1984.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

N^o 14255

I, Linda Copps McBaine 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 August 16, 1984, and ending with the issue dated August 23, 1984.

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

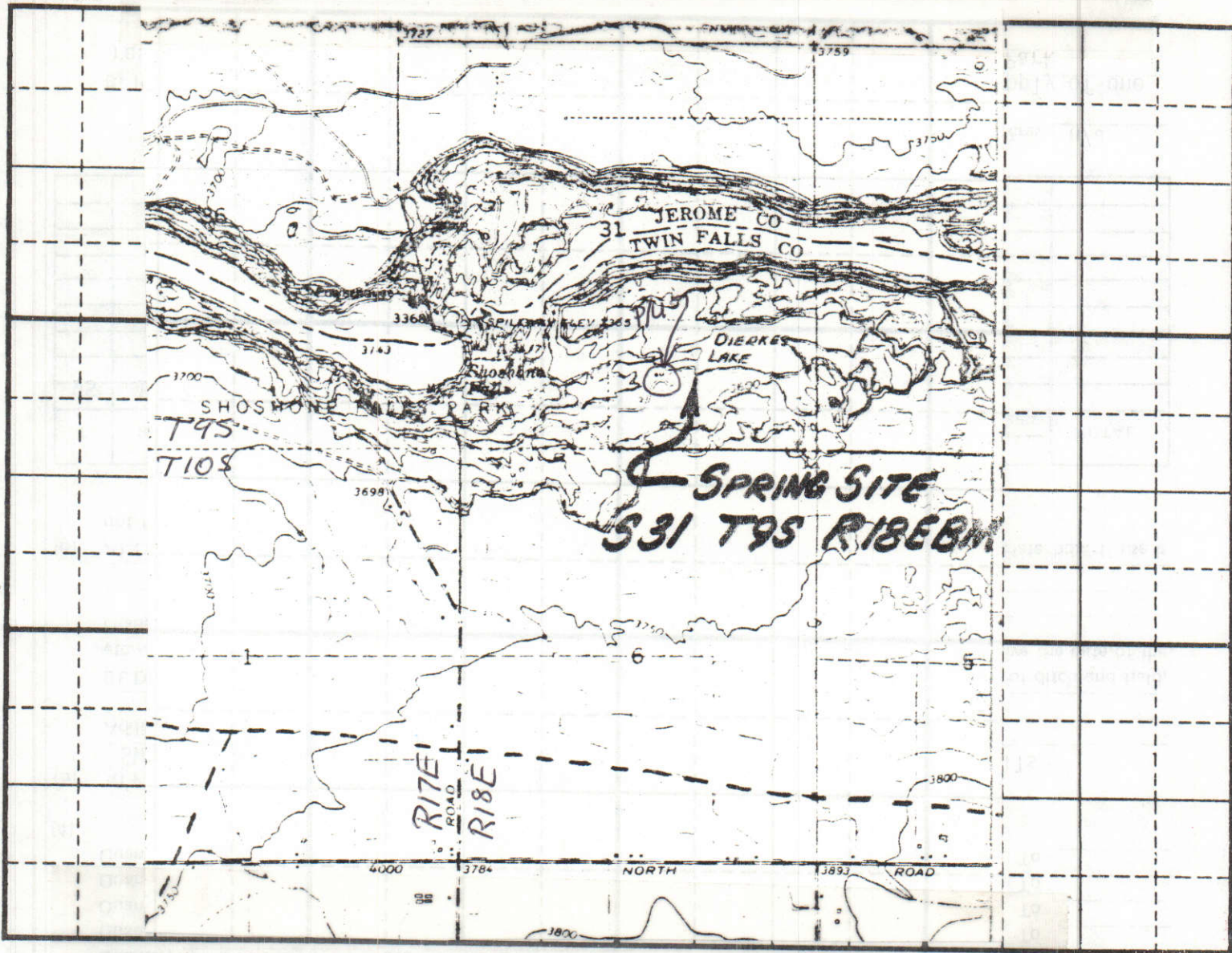
Linda Copps McBaine
Subscribed and sworn to before me on this 23 day of

August, 1984.
Goldie H. Sawcett

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

MICROFILMED

(8) Remarks _____



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)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 25th day of July, 1984
Thomas J. Courtney
Thomas J. Courtney, City Manager

Robert E. Van Ostrand
Notary Public
Residing at Twin Falls, Idaho

My commission expires October 1, 1987

FOR DEPARTMENT USE ONLY

Received by <u>eh</u>	Date <u>7/25/84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>8/3/84</u>		claimant by:	
~~\$30.00~~ fee received by <u>marsh</u>	Date <u>7/25/84</u> #33153			
Published in <u>times news</u>				
Dates <u>8/16 + 8/22/84</u>				

Affidavit of Publication

Nº 14254

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Rinda Capps McSwine being first duly sworn upon
Prime Club of the TIMES-NEWS,
oath, depose and say that I am
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
August 16, 1984, and ending with the issue dated
August 23, 1984.

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Rinda Capps McSwine
Subscribed and sworn to before me on this 23 day of
August, 1984.

Gladys J. Sweet
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED

AUG 31 1984

Department of Water Resources
Snake River District Office

MICROFILMED

point 99.49 feet
westerly of and at
right angles to said
highway centerline
station P.C. 178+26
and said point being
the REAL POINT OF
BEGINNING
continuing
along said westerly
boundary North
1°17'04" East 44.86
feet to a point 84.34
feet westerly of and
at right angles to
said highway cen-
terline
station 178+56.03;
East 145.34 feet to a
point 54.97 feet
easterly of and at
right angles to said
highway centerline
station 178+97.49;
South
THENCE

**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:

47-4494

CITY OF TWIN FALLS
Box 1907, Twin Falls,
Idaho 83303

Source: SPRING trib. to
DIERKES LAKE

Priority Date:
07/01/1969

Diversion Pt: SWSE Sec
31 T 09S R 18E

Use: DOMESTIC (0.50
CFS)

In: SWSE Sec 31 T 09S R
18E

47-4495

BANQUO CORP.
C/O HELEN JEAN

BORDEWICK, 205 12th
Ave. No. Buhl, ID 83316

Source:
WASTEWATER trib. to
SNAKE RIVER

Priority Date:
04/15/1969

Diversion Pt: NENE
Sec 12 T 09S R 14E

Use: IRRIGATION (3.00
CFS)

In: LOT 09 (NESE) Lot 09
(NWSE) SESE Sec 01 T

09S R 14E LOT 11 (NESW)

Lot 12 (NWSW) Lot 13
(SWSW) Sec 06 T 09S R

15E for 58 acres

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 16, and 23, 1984.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 14254

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until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

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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.

Linda Capps McSwine
Subscribed and sworn to before me on this 23 day of

August, 1984.
Gladys J. Sweet

MICROFILMED

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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant City of Twin Falls, Idaho Phone (208)733-0860

Post Office address Box 1907 Twin Falls, Idaho 83303-1907

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. Decreed to (Name) in case of vs dated in in county of (Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. 47-4494 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant claim to a water right
3. Source of water spring tributary to Dierkes Lake
4. Date of priority July 1, 1969
5. Water is used for the following purposes:
amount 0.50 for domestic purposes from January 1 to December 31
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 0.50 cubic feet per second &/or b. acre feet per annum
7. Location of original point of diversion is SW ¼ of SE ¼ of Section 31 Township 9 S Range 18 E, B.M., in Twin Falls County
Additional points of diversion, if any none
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	18E	31															X		

MICROFILM

Total number of acres to be irrigated n/a

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

24

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
a. Amount of water to be diverted 0.04 JJ 2/13/85
~~0.50~~ c.f.s. &/or _____ acre feet
b. Description of diverting works well with pump
c. Describe the reasons for the proposed changes spring water quality questionable
for public consumption
2. Change in point of diversion
Point of diversion SW ¼ SE ¼, Section 31 Township 9 S
Range 18 E., B.M., Twin Falls County
Additional points none
3. Change in place of use
a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
n/a

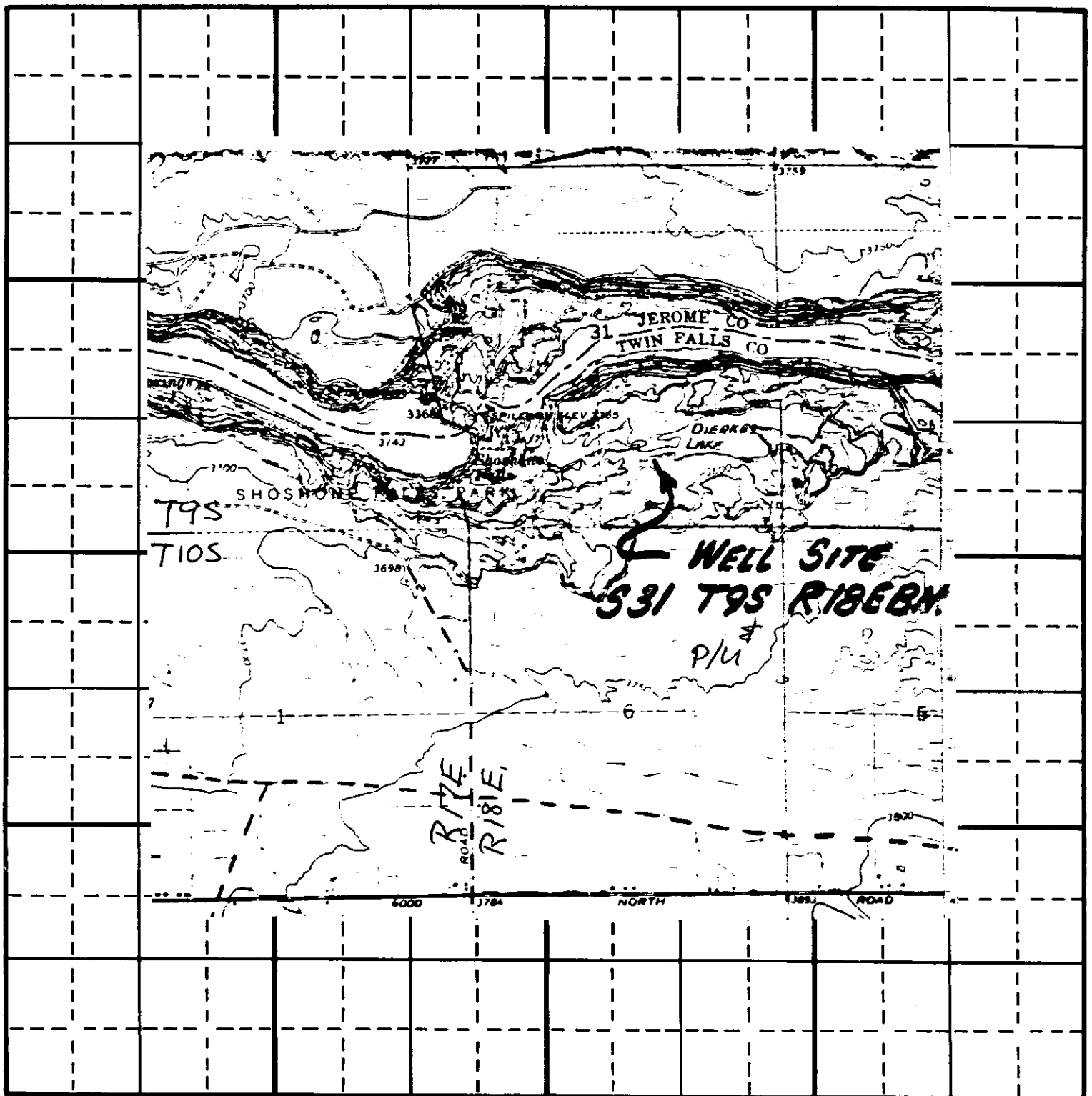
c. Describe the lands place of use to which the right will be transferred:

NO CHANGE

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated n/a

4. Describe any other water rights used for the same purpose as described above. none
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

UNRECORDED

D. REMARKS

APPROVED

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 willfull misrepresentations made in this application may result in voiding its approval.

Thomas J. Courtney
Thomas J. Courtney, City Manager

Subscribed and sworn to before me this 25th day of July, 19 84

Robert E. Van Ostrand
(Notary Public)

My commission expires October 1, 1987

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-4494 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. Approval of this transfer in no way validates right claimed.
2. Maximum rate of diversion under this transfer shall not exceed 0.04 cfs.

Witness my hand this 21st day of February, 19 85

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by lk Date 7/25/84 Protest filed by _____
Prelim. check by ADM Fee \$50.00
Receipted by manga Date 7/25/84 # 33153
Published in Times News Copies of protest forwarded by _____
Pub. dates 8/16 + 8/23/84 Hearing held by _____ Date _____
Watermaster recommendation requested on NA Recommended for approval denial
_____ rec'd. by LA Jim Dnr

WARRANTY DEED

For Value Received FRED FOSS and MARIJANY FOSS, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

THE CITY OF TWIN FALLS, IDAHO

Hereinafter called the grantee, the following described premises, in _____ County, Idaho, to-wit:

See Attached Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 7-1 1969.

Fred Foss
Marijany J. Foss

STATE OF IDAHO, COUNTY OF Twin Falls
On this 1 day of July, 1969,
before me, a notary public in and for said State, personally appeared

FRED FOSS and MARIJANY FOSS,
husband and wife,

known to me to be the person S whose nameS are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Fredrick Plunkett
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires _____

STATE OF IDAHO, COUNTY OF _____

I hereby certify that this instrument was filed for record at
the request of TWIN FALLS TREE CO.
at 20 minutes past 8 o'clock m.,
this APR 10/2 day of _____,
1969, in my office, and duly recorded in Book 222
of Deeds at page 3063

Ex-Officio Recorder

By Thomson Deputy.

Fees \$ 2.00
Mail to: City of Twin Falls, 321 2nd St.
Twin Falls, Idaho 83301

INSTRUMENT NO. 530117

MICROFILMED

EXHIBIT A

(Revised by field survey)

- Tract No. 1 Lot Six (6) Section 31, Township 9 South, Range 18 East Boise Meridian containing 36.20 Acres.
- Tract No. 2 The South 1/2 of the Southeast 1/4 of Section 31, Township 9 South, Range 18 East, Boise Meridian, containing 80.00 Acres
- Tract No. 3 All that portion of the SW $\frac{1}{4}$ of Section 32, Township 9 South, Range 18 East, Boise Meridian that lies below the Rim Rock enclosing a series of lakes commonly known as Dierkes Lakes. Said Tract 3 being further described as:
- Beginning at the Southwest corner of said Section 32, said section corner also being common to Section 31, Township 9 South, Range 18 East, Boise Meridian and Sections 5 and 6, Township 10 South, Range 18 East, Boise Meridian:
- Thence South 89° 44' East along the section line common to said Sections 32 and 5, 355.00 feet to a point on the Rim Rock;
- Thence along said Rim Rock - the following courses:
- N. 14° 10' 25" E., 262.97 feet;
 - N. 39° 47' 06" E., 512.90 feet;
 - N. 77° 25' 59" E., 514.11 feet;
 - N. 33° 57' 04" E., 487.03 feet;
 - N. 31° 11' 42" W., 382.27 feet;
 - S. 63° 53' 26" W., 224.95 feet;
 - N. 39° 16' 51" W., 475.42 feet;
 - N. 88° 27' 56" W., 376.04 feet;
 - N. 41° 53' 56" W., 311.60 feet;
 - S. 68° 26' 02" W., 256.57 feet;
- Thence S. 0° 04' E., along the section line common to said Sections 32 and 31, 1907.00 feet to the POINT OF BEGINNING. Containing 39.91 Acres.

The total of all three tracts being 156.11 Acres.

MICROFILMED

**Department of Health Resources
Southern Electric Division**

WACB-TV

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS) ss.

Nº 14255

I, Linda Capps McSwine being first duly sworn up-
oath, depose and say that I am Print Club of the TIMES-NEW..
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entire issue of said newspaper, and not in any supplement thereof, for Two
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Linda Capps McSwine
Subscribed and sworn to before me on this 23 day of

August, 1984.
Goldie J. Sawcett

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

RECEIVED

8/21/84

984

PAID FOR BY
* 8/21/84

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 City of Twin Falls, Idaho
Box 1907 Twin Falls, Idaho (Mailing Address) (Name of Claimant) 83303-1907 (Zip Code) Telephone No. (208)733-0860

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) July 1, 1969

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) spring tributary to Dierkes Lake

(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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.50 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.50 cfs (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source) SW ¼ SE ¼, Sec. 31 Twp. 9 S Rge. 18 E B.M., County of Twin Falls
Additional points of diversion: none

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. pump and pipeline to supply domestic uses at Dierkes Lake Park

(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	
9S	18E	31															X		

No. of acres n/a

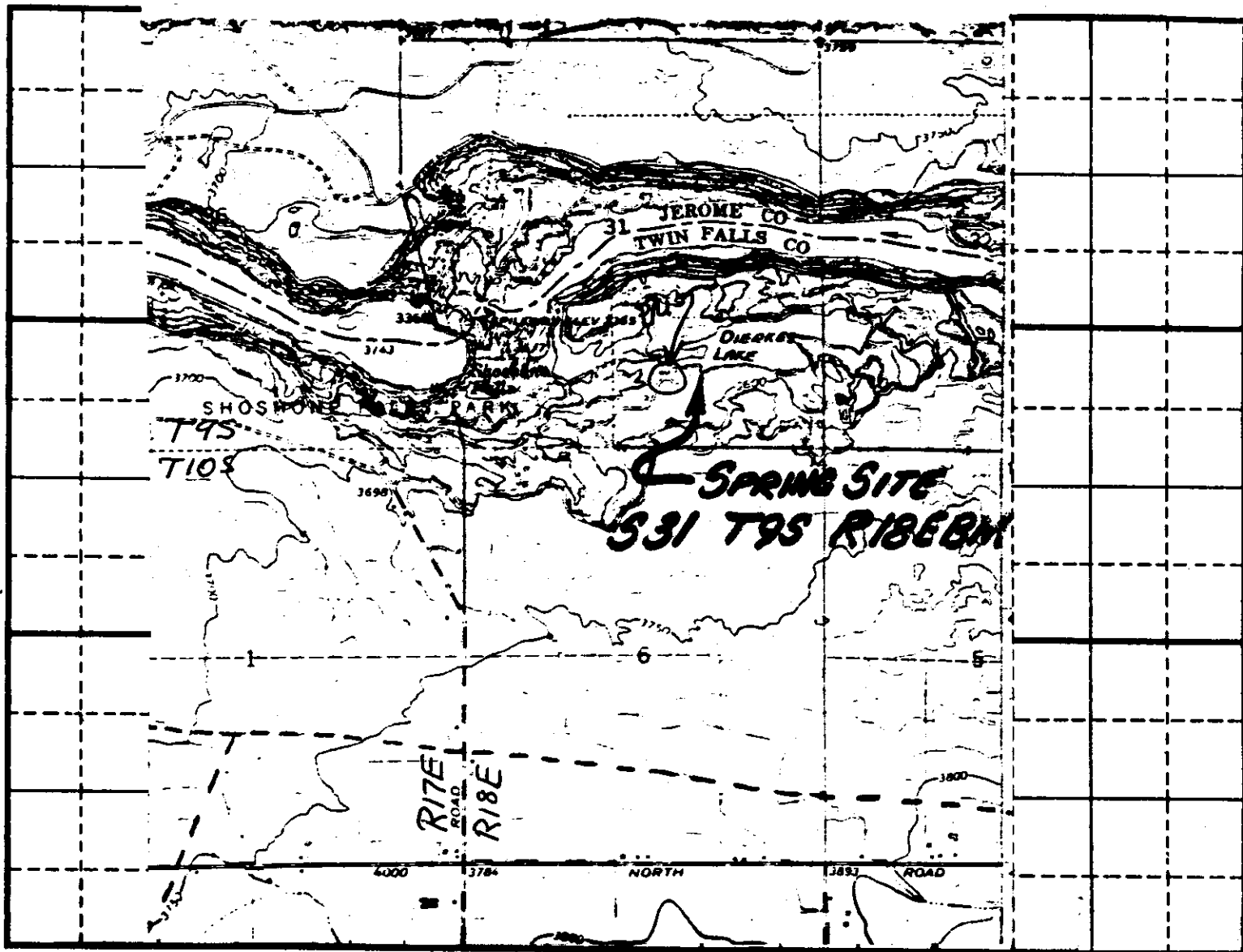
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: supply of one residence, restrooms, showers, drinking fountain etc. at Dierkes Lake Park

NOTE: Include here the type and number of stock watered: n/a

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

MICROFILMED

(8) Remarks _____



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)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 25th day of July

Thomas J. Courtney
Thomas J. Courtney, City Manager
(Claimant)

Robert E. Van Ostrand
Notary Public
Residing at Twin Falls, Idaho

My commission expires October 1, 1987

FOR DEPARTMENT USE ONLY

Received by eh Date 7/25/84 Exception filed by: _____ Date _____
Prelim. check by ADM Date 8/3/84
\$200.00 fee received by same Date 7/25/84 # 33153
Published in Times & News
Dates 8/16 + 8/23/84

THENCE
point 54.87 feet to a
East 145.34 feet to a
THENCE North 89° 07' 44"
178+58.83
terline
station
said highway 0.00
at right angles to
foot westerly of and
feet to a point 44.34
1° 17' 04" East 44.88
boundary
along said westerly
THENCE
beginning
the BEAL point of
and said point being
station P.C. 178+28
highway centerline
right angles to said
westerly of and to
point 54.87 feet

Affidavit of Publication

STATE OF IDAHO.
COUNTY OF TWIN FALLS

ss.

N^o 14254

I, *Linda Capps McSwine* being first duly sworn under 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

August 16, 19*84*, and ending with the issue dated *August 23*, 19*84*.

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

Linda Capps McSwine
August 1, 19*84*
Gladys J. Sweet

23 day of

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

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by application and approval of the Board of Water Rights of the State of Idaho.

CITY OF TWIN FALLS
Box 100, Twin Falls, Idaho 83430
Source: Spring, tributary to Snake River
Priority: 1900
Diversion: 1900
Ditch: 1900
Sec 31 T20S R10E
Use: Domestic (1.50 CFS)
In: 1900
Lot 12 T20S R10E

BAYNARD COOK
C/O J. E. COOK
Box 100, Twin Falls, Idaho 83430
Source: Spring, tributary to Snake River
Priority: 1900
Diversion: 1900
Ditch: 1900
Sec 31 T20S R10E
Use: Domestic (1.50 CFS)
In: 1900
Lot 12 T20S R10E

San 11 T20S R10E
Use: Domestic (1.50 CFS)
In: 1900
Lot 12 T20S R10E
Priority: 1900
Diversion: 1900
Ditch: 1900
Sec 31 T20S R10E
Use: Domestic (1.50 CFS)
In: 1900
Lot 12 T20S R10E

Any objection to any claim made within 30 days of the date of publication of this notice of claim shall be in writing and filed with the Board of Water Rights of the State of Idaho.

A. KENNEDY, CLERK
August 14, 1984

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 14254

I, Linda Capps McSwine being first duly sworn under oath, depose and say that I am Prime 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 August 16, 1984, and ending with the issue dated August 23, 1984.

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

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

Linda Capps McSwine
Subscribed and sworn to before me on this 23 day of August, 1984.

MICROFILMED

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



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 22, 1985

RE: Transfer of Water Right No. 47-4494

City of Twin Falls
Box 1907
Twin Falls, ID 83303-1907

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3050). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

RECEIVED



-State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

January 8, 1985

RE: Application for Transfer of Water Right No. 47-4494

City of Twin Falls
Attn: Thomas J. Courtney, City Mgr.
Box 1907
Twin Falls, ID 83303-1907

Dear Mr. Courtney:

The above referenced application for transfer filed in July, 1984 requested the the source claimed under said right be changed from a spring to groundwater. The claimed right identified 0.5 cfs being used for domestic purposes.

A representative of this Department inspected the existing diversion system and reported that the system capacity was less than the amount claimed. Since the proposed change from the spring to groundwater will not be expanded by virtue of the transfer, the Department has no objection and will approve the transfer. However, because the amount of water appears to be excessive for the use identified, the amount approved will be limited to the amount normally associated with one drinking fountain, 2 restrooms, and 1 dwelling, which is 0.04 cfs.

If this is unsatisfactory, please let us know on or before January 21, 1985. If we do not hear from you, we will assume you have no objections and will proceed with approving the transfer.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

RECEIVED
JAN 10 1985



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 1, 1984

RE: Application for Transfer of Water Right No. 47-4494

City of Twin Falls
Attn: Thomas J. Courtney, City Mgr.
Box 1907
Twin Falls, ID 83303-1907

Dear Mr. Courtney:

A field examination of the above referenced claimed right found that the diversion facilities were not capable of diverting 0.50 cfs and the use of water was to supply one drinking fountain, two restrooms and a park caretaker's dwelling, which total uses require less than 0.50 cfs claimed on said right.

The Department proposes to approve the application for transfer of the claimed water right for a reduced amount which reflects the capacity of the system and the present water use, rather than the 0.50 cfs shown on the claim.

The combined uses found at the time of the exam are estimated at a rate of about 18 gpm or 0.04 cfs. Therefore, the transfer will be approved for this amount only.

If you have information to show that more water is required, please provide us with this information on or before November 20, 1984. If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

RECORDED

INTER-DEPARTMENT MEMO — 1

FROM

Dave T

DATE

10/24/84

TO

Jim

SUBJECT

I agree that we should not approve the transfer for 0.50 cfs, so the question is what technique should we use for reduction.

The problem with an amended claim is that it must be advertised by the region. ~~The~~ A solution with the same net result but perhaps less processing would be to send a letter to the applicant advising that we are prepared to approve the

SIGNATURE

(over)

transfer at a reduced rate of flow of — — based on typical rates of flow for the uses found during our field examination of the system. Then, if we add conditions of approval reducing the rate of flow, and limiting the total diversion in the way that Joren suggested, we can approve the transfer without additional advertisement.

Dave

Memo

TO: DAVE

FROM: JEM

RE: Transfer 3050 ON CLAIM 47-4494

I don't feel comfortable with the condition that the region is recommending.

Per memo of 9-25-84 the regional supervisor states that the claim appears to be in excess of the amount claimed but no amount is recommended.

I suggest that the amount on the claim be adjusted to standard rates accepted by Dept. policy for domestic use and amount needed for 1 drinking fountain and 2 rest rooms.

Claim adjustment could be made via amended claim, or Dept Order or Partial approval of transfer. I would recommend

sending an amended claim for signature to Mr. Van Ostrand, city water superintendent, with a letter explaining the reason for ~~amending~~^{then} claim. The transfer could be approved w/ minimum of change.

ESTIMATE OF WATER USE REQUIRED
FOR TRANSFER NO. 3050

Water use

2 Rest rooms est. 10 gallon / person / restroom
est. 100 person / day / yr

CALCULATE:

Vol. : Use / yr = $100 \times 10 \times 365 = 365,000 \text{ gal/yr}$

RATE: Daily use = $100 \text{ persons / DAY} \times 10 \text{ gal / person} =$
 $= 1000 \text{ gal / DAY}$

PER HANDBOOK: System is designed to
supply full day requirements
in 2 hrs.

$1000 \text{ gal} / 2(60)(48.8) = 1000 / 5856 = 0.02 \text{ cfs}$

DRINKING FOUNTAIN

est. 1 gal / person

RATE: est. 1 gal / min

$\times \text{cfs} = \frac{0.02 \text{ cfs}(1)}{9} = 0.002 \text{ cfs}$ NEGIGABLE

CARE-TAKER RESIDENCE

est. 0.02 cfs

TOTAL USE:

RESTROOMS: $\frac{\text{cfs}}{0.02}$

FOUNTAIN: -

RESIDENCE: $\frac{0.02}{0.04}$

RECEIVED

MEMO

September 25, 1984

TO: File - 47-4494 (Transfer)
FROM: Loren O. Holmes - Southern Region Supervisor
RE: Field Inspection of Water System

I inspected the system with Bob VanOstrand, city water superintendent.

The pump is located in a stone dugout near the east end of Dierke's Lake Park. The system has a 1 HP electric pump and 40 gallon pressure tank. The system serves 1 drinking fountain, 2 rest rooms, and the park caretaker's dwelling.

It appears that the flow claimed is in excess of the system capacity and the amount actually used.

The City wants to drill a well to replace the spring as a water supply to the park due to sanitary problems with the spring.

The change from spring to well won't, of itself, enlarge the water right because the new system will supply the same demand. However, as time goes on park usage will increase and so will the demands on the system.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-4494

Notice is hereby given that City of Twin Falls, Idaho has applied to the Department of Water Resources for a change of point of diversion of a right to a well from a spring/tributary to Dierkes Lake. The right sought to be changed is evidenced by a claim^{No. 47-4494} and is recorded as follows:

Amount: 0.50 cfs
SOURCE: Spring tributary to Dierkes Lake
Priority: July 1, 1969

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S, R18E, B.M., Twin Falls County

The water is used for domestic purposes from Jan. 1 to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S, R18E

TO BE CHANGED AS FOLLOWS:

Amount: Same
SOURCE: Well
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S, R18E, B.M., Twin Falls County
Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before Sept. 3, 1984.

A. KENNETH DUNN, Director

Published in Times News on August 16 and 23, 1984.

MICROFILMED

MICROFILMED

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT**

No. 47-4494

Notice is hereby given that City of Twin Falls, Idaho has applied to the Department of Water Resources for a change of point of diversion of a right from a spring to a well tributary to Dierkes Lake. The right sought to be changed is evidenced by a claim No. 47-4494 and is recorded as follows:

Amount: 0.50 cfs

SOURCE: Spring tributary to Dierkes Lake

Priority: July 1, 1969

Point of Diversion:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S,
R18E, B.M. Twin Falls
County.

The water is used for domestic purposes from Jan 1. to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S, R18E

TO BE CHANGED AS
FOLLOWS:

Amount: Same

SOURCE: well

Point of Diversion:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T9S,
R18E, B.M., Twin Falls
County

Place of Use: No
change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1541 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before Sept. 3, 1984.

A. Kenneth Dunn
Director

PUBLISH: Thursdays,
August 16, and 23, 1984.

*ok
merge
8/13/84*

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

August 3, 1984

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

Re: Notice of Proposed Change of Water Right No. 47-4494

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. Newby
Sec/Office Coord.

Encl:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

11
SEPTEMBER 2, 1984

CITY OF TWIN FALLS
BOX 1907
TWIN FALLS

ID 83303

RE: Claim No. 47-4494

Dear Claimant:

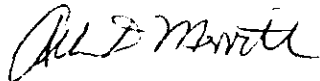
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHT

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

92-4424

CITY OF TWIN FALLS

BOX 1907, TWIN FALLS, ID 83303

Source: SPRING trib. to DIERKES LAKE

Priority Date: 07/01/1969

Diversion Pt: SWSE Sec 31 T 09S R 18E

Use: DOMESTIC (0.50 CFS)

In: SWSE Sec 31 T 09S R 18E

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 8/16 & 8/23/84.

RECEIVED
AUG 23 1984

**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:

47-4494

CITY OF TWIN FALLS
Box 1907, Twin Falls,
Idaho 83303

Source: SPRING trib. to
DIERKES LAKE

Priority Date:
07/01/1989

Diversion Pt: SWSE Sec
31 T 09S R 18E

Use: DOMESTIC (0.50
CFS)

In: SWSE Sec 31 T 09S R
18E

de
8/13/84
mayer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-7578

AUGUST 9, 1984

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 SEPTEMBER 3, 1984.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED