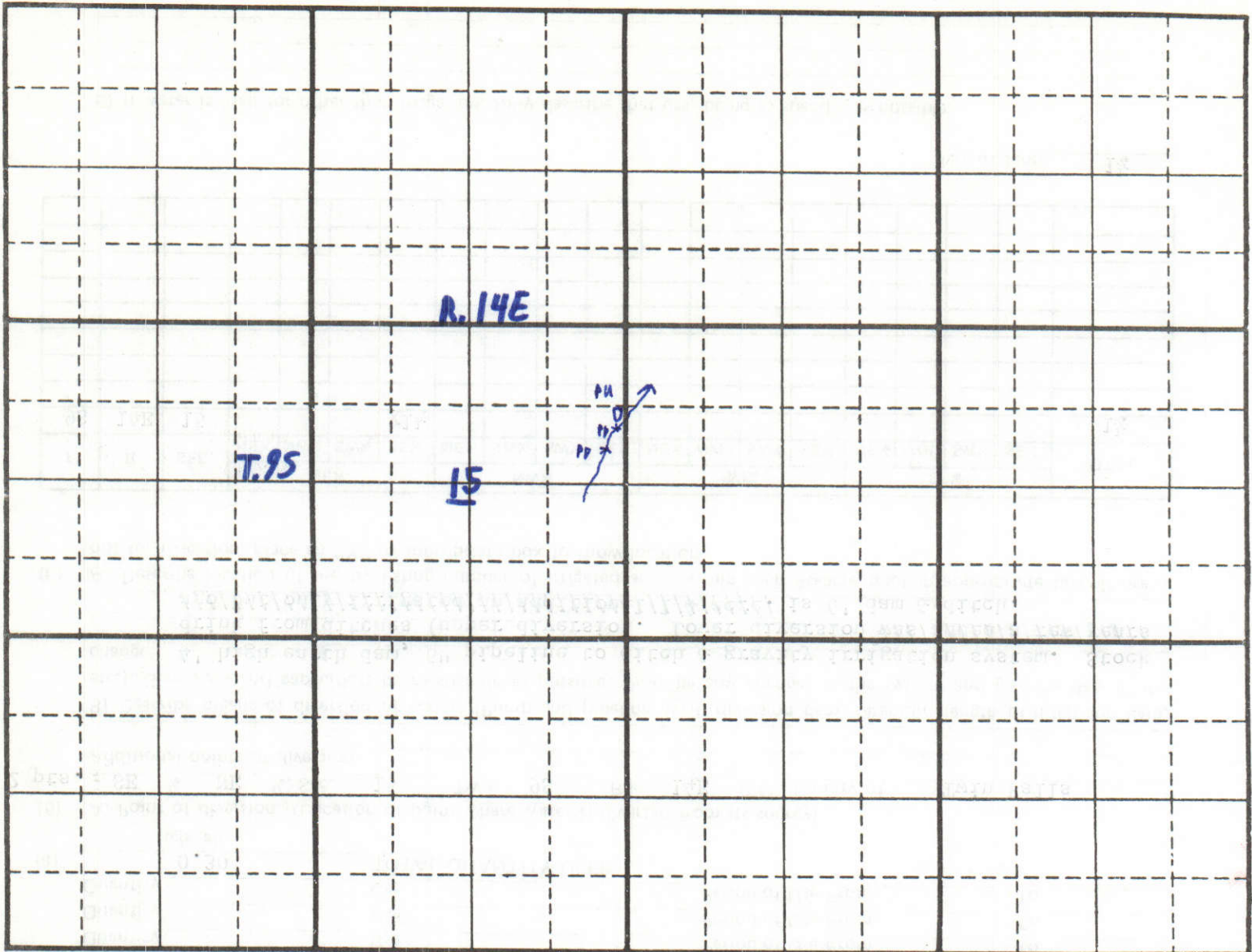


MACROFILMED

(8) Remarks This water is warm, so can be used nearly all year.



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 14th day of April, 1983.

[Signature]
(Claimant)

Mary A. Newbury
Notary Public
Residing at Twin Falls, ID
Shoshone.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J.P. Hanks Date 4-14-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 4/18/83 claimant by: _____
\$30.00 fee received by JD Date 4-14-83 #27210
Published in Times News
Dates 5/19 & 5/26/83

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Route #3 Box 228, Buhl, ID 83316 Telephone No. 543-4446
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 1935

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Seepage tributary to Mud Creek

				(Both dates inclusive)	
	(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	<u>0.30 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>0.02 cfs</u>	Use	<u>Livestock</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(5) A) Point of diversion: (Location of point where water is diverted from its source)
pts. SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15 Twp. 9S Rge. 14E B.M., County of Twin Falls
Additional points of diversion: _____

(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.

[illegible]

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

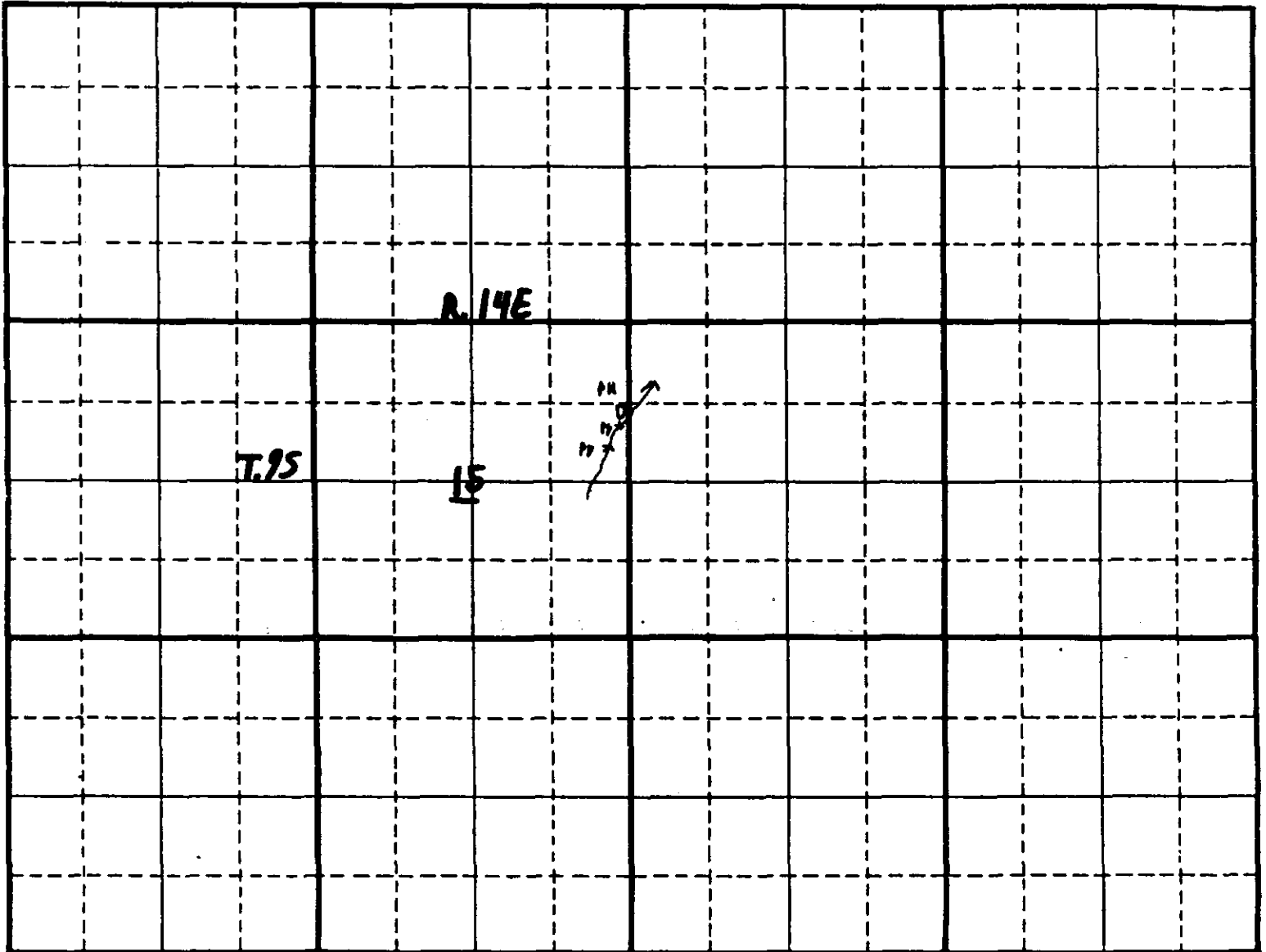
NOTE: Include here the type and number of stock watered: 20 cow-calf pairs

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

MACROFILAEU

MICROFILMED

(8) Remarks This water is warm, so can be used nearly all year.



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.

[Signature] (Claimant)

Sworn to before me this 14th day of April, 1983.

[Signature]
Notary Public
Residing at Twin Falls, ID
Shoshone.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 4-14-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 4/18/83 claimant by: _____
\$30.00 fee received by [Signature] Date 4-14-83 #27210
Published in Times Press
Dates 5/19 & 5/26/83

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:

47-4355
POVERTY FLATS
C/O KEVIN STANGER,
RT. 1 BOX 382, HANSEN,
ID 83334
Source: GROUND
WATER
Priority Date: 03/15/1951
Diversion Pt: SESE Sec
21 T 11S R 19E
Use: IRRIGATION (1.00
CFS)
In: SWSE SESE Sec 21 T
11S R 19E FOR 60 ACRES

47-4354
POVERTY FLATS
C/O KEVIN STANGER,
RT. 1 BOX 382, HANSEN,
ID 83334
Source: GROUND
WATER
Priority Date: 09/01/1957
Diversion Pt: NESE Sec
21 T 11S R 19E
Use: IRRIGATION (1.80
CFS)
In: SWNE SENE NESE
NWSE SWSE SESE Sec
21 T 11S R 19E FOR 140
ACRES

47-4352
POVERTY FLATS
C/O KEVIN STANGER,
RT. 1 BOX 382, HANSEN,
ID 83334
Source: GROUND
WATER
Priority Date: 03/15/1955
Diversion Pt: SWNW
Sec 21 T 11S R 19E
Use: IRRIGATION (1.00
CFS)
In: NENE NWNE SWNE
SENE Sec 20 T 11S R 19E
NENE NWNE SWNE
SENE NENW NWNW
SWNW SENW Sec 21 T
11S R 19E FOR 440
ACRES

47-4351
POVERTY FLATS
C/O KEVIN STANGER,
RT. 1 BOX 382, HANSEN,
ID 83334
Source: GROUND
WATER
Priority Date: 10/01/1957
Diversion Pt: SENW Sec
20 T 11S R 19E
Use: IRRIGATION (1.80
CFS)
In: NENW NWNW SWNW
SENE Sec 20 T 11S R 19E
FOR 160 ACRES

47-4375
ABBOTT, WILSON
194 CASWELL, W., TWIN
FALLS, ID 83301
Source: GROUND
WATER
Priority Date: 01/01/1941
Diversion Pt: NENE Sec
08 10S R 17E
Use: IRRIGATION (0.02
CFS)
COMMERCIAL (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 08 T 10S R
17E FOR 1/2 ACRE

NOTICE
of Office

47-4374
POINT RANCH, INC.
ROGERSON, ID 83302
Source: SPRINGS trib. to
SINKS
Priority Date: 01/01/1880
Diversion Pt: SWNE Sec
02 T 15S R 15E SWNE
SENE Sec 12 T 15S R 15E
NESW NWSW Sec 36 T
14S R 15E
Use: IRRIGATION (350
CFS)
STOCKWATER (0.19
CFS)
DOMESTIC (0.06 CFS)
In: NESW SESW NWSE
SWSE Sec 35 T 14S R 15E
FOR 148 ACRES

47-4373
RAMSEYER, DUANE
RT. 1, FILER, ID 83328
Source: GROUND
WATER
Priority Date: 05/01/1948
Diversion Pt: SESW Sec
20 T 09S R 16E
Use: IRRIGATION (2.00
CFS)
In: NESW NWSW SWSW
SESW Sec 20 T 09S R 16E
NESE SESE Sec 19 T 09S
R 16E FOR 240 ACRES

47-4372
SHERER, JERRY E. &/or
PATRICIA L.
RT. 4, TWIN FALLS, ID
83301
Source: SEEPAGE trib.
to ROCK CREEK
Priority Date: 04/01/1930
Diversion Pt: SWSW Sec
01 T 10S R 18E
Use: IRRIGATION (0.18
CFS)
STOCKWATER (0.02
CFS)
In: SWSW Sec 01 T 10S R
18E FOR 2 ACRES

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 12719

I, Sherry Kester being first duly sworn u,
oath, depose and say that I am Proc 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 publications, commencing with the issue dated
May 19, 1983, and ending with the issue dated
May 26, 1983.

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 the
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 26th day of
May, 1983

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

47-4371
HARMS, GARY
RT. 3 BOX 228, BUHL, ID
83316
Source: SEEPAGE Tib.
to MUD CREEK
Priority Date: 01/01/1935
Diversion Pt: SENE Sec
15 T 09S R 14E
Use: IRRIGATION (0.30
CFS)
STOCKWATER (0.02
CFS)
In: SENE Sec 15 T 09S R
14E FOR 1 1/4 ACRES

47-4370
PET, INC.
BOX 552, BUHL, ID 83316
Source: GROUND
WATER
Priority Date: 01/01/1928
Diversion Pt: SWSW Sec
31 T 09S R 15E
Use: COMMERCIAL
(3.65 CFS)
In: SWSW Sec 31 T 09S R
15E

47-4369
HENSON, DARREL G.
SMITH, DAVID R.
RT. 1, BUHL, ID 83316
Source: WASTE WATER
Trib. to DEEP CREEK
Priority Date: 04/15/1905
Diversion Pt: SWSW Sec
29 T 10S R 14E
Use: IRRIGATION (2.00
CFS)
STOCKWATER (0.02
CFS)
In: SWSW SESW Sec 29 T
10S R 14E FOR 24 ACRES

47-4368
PEARSON, FRANK &/or
EILEEN
RT. 3, BUHL, ID 83316
Source: WASTE WATER
trib. to SNAKE RIVER
Priority Date: 03/15/1913
Diversion Pt: NESE Sec
18 T 09S R 14E SWNW
Sec 17 T 09S R 14E
Use: IRRIGATION (1.00
CFS)
In: SWNW Sec 17 T 09S R
14E NESE Sec 18 T 09S R
14E FOR 23 ACRES

47-4367
WAGEMAN, JAKE
121 N. 12TH ST., BUHL,
ID 83316
Source: GROUND
WATER
Priority Date: 01/01/1930
Diversion Pt: SESE Sec
29 T 09S R 14E
Use: COMMERCIAL (0.04
CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 29 T 09S R
14E

47-4366
COINER, MARIETTA
MRS. &/or GEORGE
RT. 1 BOX 146, HANSEN
ID 83334
Source: GROUND
WATER
Priority Date: 09/01/1962
Diversion Pt: SWSE Sec
10 T 10S R 18E
Use: STOCKWATER
(0.18 CFS)
In: SWSE Sec 10T 10S R
18E

47-4365
COINER, MARIETTA
MRS. &/or GEORGE
RT. 1 BOX 146, HANSEN,
ID 83334
Source: GROUND
WATER
Priority Date: 01/01/1916
Diversion Pt: SWSE Sec
10 T 10S R 18E
Use: STOCKWATER
(0.18 CFS)
DOMESTIC (0.11 CFS)
In: SWSE Sec 10 T 10S R
18E SESW SESE Sec 10 T
10S R 18E NWNE Sec 15
T 10S 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
PUBLISH: Thursday,
May 18 and 26, 1983.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-1578

JUNE 14, 1987

GARY HARMS
RT. 3 BOX 228
BUHL

ID 8331F

RE: Claim No. 47-4371

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

POOR QUALITY ORIGINAL

MERRITT



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326

TWIN FALLS, IDAHO, 83301



June 1, 1983

RECEIVED

JUN 6 1983

Department of Water Resources
Southern District Office

Department of Water Resources
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

RE: App. for Permit No. 47-4371
Names: Gary Harms

Gentlemen:

The Twin Falls Canal Company after researching filed water right permit has concluded that water sought to be appropriated is waste water. However, we are advised that others may hold prior rights to this waste water and of course the holder has a right to cease wasting water.

The Canal Company will continue to make deliveries to their shareholders to the extent possible, but makes no effort to put additional water in the ditches so as to insure that waste water would be available for permits such as this one.

The Twin Falls Canal Company has in the past used aquatic weed chemicals in the water system, and will continue to do so. It is understood that the water permittee shall not claim the Twin Falls Canal Company liable for any water quality standards during the use of these chemicals. It is further understood that the Twin Falls Canal Company does not, and will not, guarantee water quality to any waste waters being filed upon.

Respectfully submitted,


C.W. Travis
General Manager

CWT/vld

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:

42-4321-

HARMS, GARY

RT. 3 BOX 228, BUHL, ID 83316

Source: SEEPAGE trib. to MUD CREEK

Priority Date: 01/01/1935

Diversion Pt: SENE Sec 15 T 09S R 14E

Use: IRRIGATION (0.30 CFS)
STOCKWATER (0.02 CFS)

In: SENE Sec 15 T 09S R 14E FOR ~~XXXXXX~~ 1 1/4 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

Published 5/19 & 5/26/83.

MICROFILMED

47-4371
HARMS, GARY
RT. 3 BOX 228, BUHL, ID
83318
Source: SEEPAGE Tib.
to MUD CREEK
Priority Date: 01/01/1935
Diversion Pt: SENE Sec
15 T 09S R 14E
Use: IRRIGATION (0.30
CFS)
STOCKWATER (0.02
CFS)
In: SENE Sec 15 T 09S R
14E FOR 1 1/4 ACRES

DB
muy

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 6, 1983

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 JUNE 6, 1983.

Yours truly,

Mary A. Newby
Secretary

MICROFILMED

Encl.