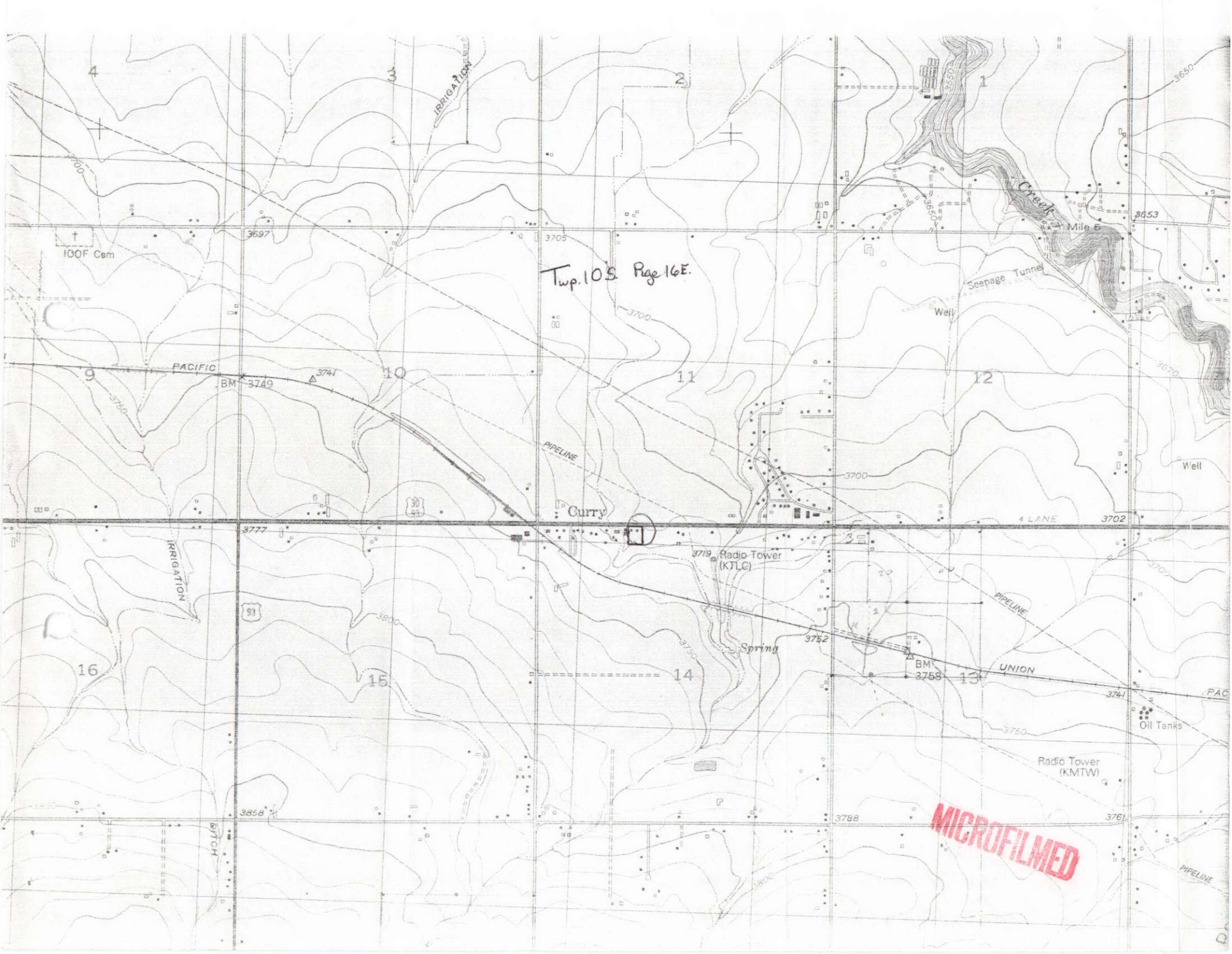




Twp. 10S. Range 16E.

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 12417

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:

47-4320
SMIHT, VICTOR E.
ROWLETT-SMITH,
MELBA
RT. 2, FILER, ID 83328
Source:

GROUNDWATER
Priority Date: 05/01/1947
Diversion Pt: NENW Sec
14 T 10S R 16E
Use: IRRIGATION (0.04
CFS)
STOCKWATER (0.01
CFS)
DOMESTIC (0.06 CFS)
In: NENW Sec 14 T 10S R
16E FOR 1.5 ACRES

MICROFILMED

MAR 8 1983

Department of Water Resources
Southern District Office

I, Sherry Kesler being first duly sworn upon
oath, depose and say that I am Price Clerk of the TIMES-NEW
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
February 24, 1983, and ending with the issue dated
March 3, 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 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.

Sherry Kesler
Subscribed and sworn to before me on this 3rd day of

March, 1983

Gladys L. Sawceth

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



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 Victor E. Smith & Thelma Rawlett Smith
(Name of Claimant)
RI. 2, Filer, Id 83328 (Mailing Address) Telephone No. 133-1435-133-4013
(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) May 1, 1947

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)
Well 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, af)		(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>1-1</u>	To <u>12-31</u>
Quantity	<u>0.04 "</u>	Use	<u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity	<u>0.01 "</u>	Use	<u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.13 CFS TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 14 Twp. 10S Rge. 16E 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.
Pump in well

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>10S</u>	<u>16E</u>	<u>14</u>	<u>X</u>	<u>X</u>			<u>X</u>	<u>1.5</u>											<u>1.5</u>

changes as per phone conv. with Mrs. Smith on 1-26-83 TGB

No. of acres 1.5

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

NOTE: Include here the type and number of stock watered: 5 head cattle or horses

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

(8) Remarks *Three households use this water on
first property east of Twin Falls County Historical
Museum on US 300 west of Twin Falls County Hospital*

[illegible]

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

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.

Nelba Rawlett-Smith
(Claimant)

Sworn to before me this 11 day of January, 1983

Maey A. Meadows
Notary Public

Notary Public

Residing at shephard Rd P3352

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by Malpa

Date _____

1/11/83

Exception filed by:

Forwarded to

Date _____

Preliminary check by TB

Date _____

 $\frac{1}{4}F_3$

#23920

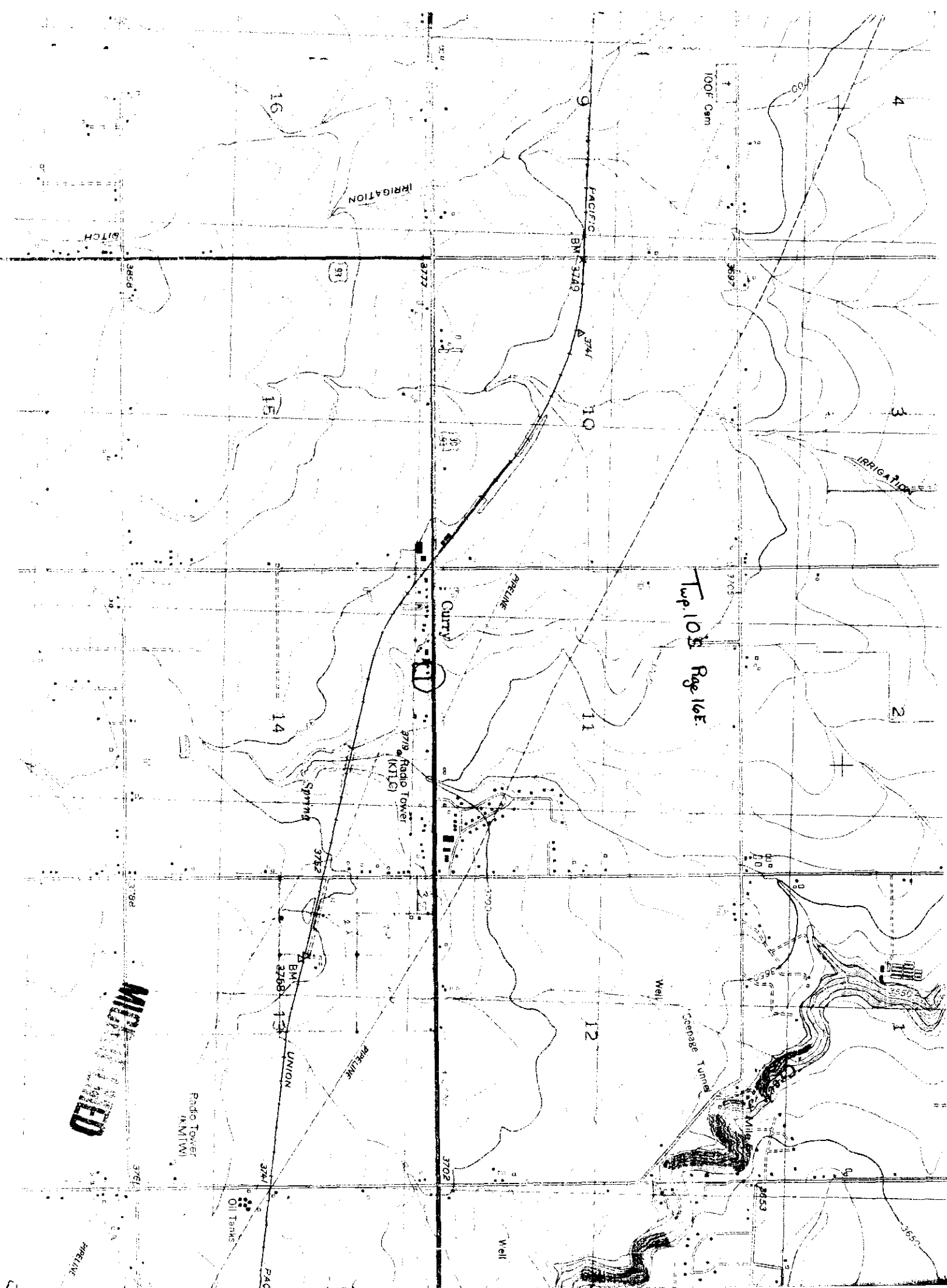
claimant by:

\$30.00 fee received by

Date _____

Published in Times News

Dates 2/24 & 3/5/83



Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 12417

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

MAR 8 1983

Department of Water Resources
Southern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

28
MARCH 15, 1983

VICTOR E. SMITH
MELBA ROWLETT-SMITH
RT. 2 FILER, ID 83328

RE: Claim No. 47-4320

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

RECEIVED
APR 11 1983

Department of Water Resources

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47-4320-

SMITH, VICTOR E.
ROWLETT-SMITH, MELBA

RT. 2. FILER. ID 83328

Source: GROUNDWATER

Priority Date: 05/01/1947

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

Use: IRRIGATION	(0.04 CFS)
STOCKWATER	(0.01 CFS)
DOMESTIC	(0.08 CFS)

In: NENW Sec 14 T 10S R 16E FOR ~~2 ACRES~~ 1.5 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 ~~2/24~~ & 2/24/83. + 3/3/83

RECORDED

14638 pgl thur. send proof
633.2 IN 10:37
legals for Thursday 2/24

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Use: IRRIGATION (0.04
CFS)

STOCKWATER (0.01
CFS)

DOMESTIC (0.08 CFS)

In: NENW Sec 14 T 10S R
16E FOR 1.5 ACRES

ok
meyer
2/18/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 15, 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 MARCH 7, 1983.

Yours truly,

Mary A. Hill
Secretary

Encl.

MAR 16 1983