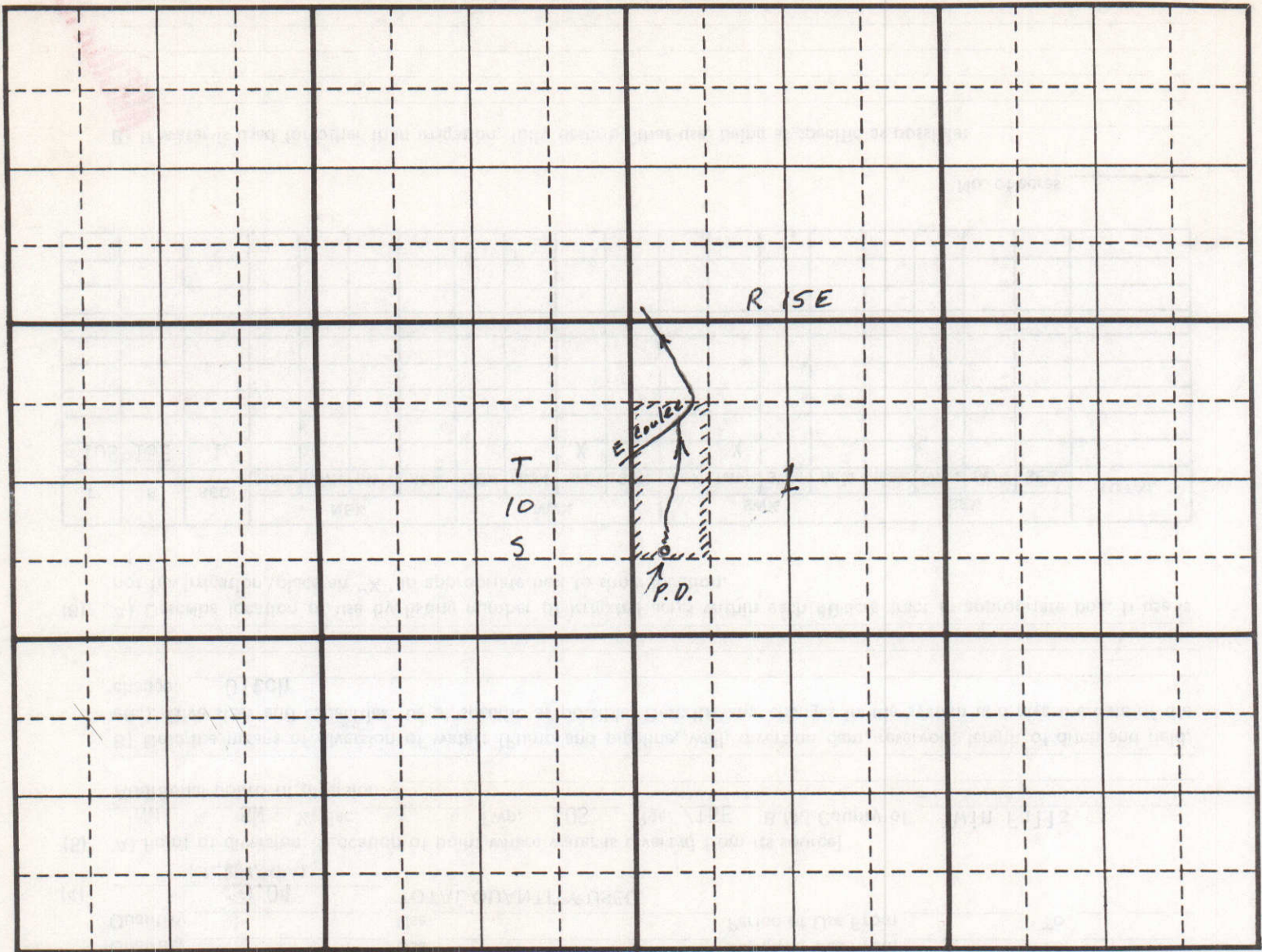


(8) Remarks _____



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.

Fred J. M. White
(Claimant)

Sworn to before me this 21 day of April, 19 82.

Mary A. Hill
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by ch Date 4/21/82 Exception filed by: _____ Date _____
Prelim. check by TB Date _____
30.00 \$20.00 fee received by Mary A. Hill Date 4/21/82 # 22147
Published in Twin Falls News
Dates 4/29 & 5/6/82

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:

47-4288

MC CABE, FRED J.
RT. 1, FILER, ID 83328
Source: SEEPAGE (DE KLOTZ TUNNEL) tributary to UNNAMED STREAM (E COULEE)
Priority Date: 01/01/1920
Amount: 0.04 CFS
Diversion Point: SENW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31
Place of Use: SWNW SENW Sec 01 T 10S R 15E
Diversion Means: DITCH
47-4287

MC CABE, FRED J.
RT. 1, FILER, ID 83328
Source: GROUNDWATER
Priority Date: 01/01/1948
Amount: 2.00 CFS
Diversion Point: NWSW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15
STOCKWATER (0.04 CFS) from 01/01 to 12/31
Place of Use: SWNW SENW NESW NWSW Sec 01 T 10S R 15E FOR 128 A C R E S
Diversion Means: WELL & PUMP

47-4288

MC CABE, FRED J.
RT. 1, FILER, ID 83328
Source: SEEPAGE (PEAVEY TUNNEL) tributary to UNNAMED STREAM (E COULEE)
Priority Date: 01/01/1920
Amount: 0.04 CFS
Diversion Point: NWSW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31
Place of Use: SWNW NWSW Sec 01 T 10S R 15E

Diversion Means: DITCH
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, April 29, and May 6, 1982.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

RECEIVED

Nº 11516
MAY 14 1982

I, H. Enderse Department being first duly sworn upc
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 2

consecutive weeks, commencing with the issue dated April 29, 19 82, and ending with the issue dated May 6, 19 82.

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 7 day of May, 19 82.

Carole Jennings
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 Fred J. McCabe (Name of Claimant)

Rt. 1 Filer, Idaho 83328 (Mailing Address) Telephone No. 326-4050 (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) 1-1-1920

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)
Seepage (Peavey Tunnel) tributary to Unnamed Stream (E Coulee)

(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>0.04</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
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 1 Twp. 10S Rge. 15E 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. Ditch

(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	
10S	15E	1							X			X							

No. of acres

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: 200 head cattle & sheep
If you are claiming water as a member of an organization, list name of organization:

A hand-drawn diagram on a grid. A vertical line is drawn. To the right of this line is a hatched area. A point on the vertical line is labeled 'P.D.' with an arrow pointing to it. A line segment labeled 'T 10 S' is drawn from this point. A line segment labeled 'R 15 E' is drawn from this point. A line segment labeled '1' is drawn from this point.

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.

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.

Notary Public
Residing at Twin Falls, Idaho 83301

Received by ch Date 4/21/88 Exception filed by: _____ Forwarded to _____ Date _____
 Prim. check by TB Date _____
 30.00 \$20.00 fee received by manya Date 4/21/88 # 22147
 Published in Times News _____
 Dates 4/20 + 5/6/88 _____

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:

47-4286

MC CABE, FRED J.
RT. 1, FILER, ID 83328
Source: SEEPAGE (DE KLOTZ TUNNEL) tributary to UNNAMED STREAM (E COULEE)

Priority Date: 01/01/1920
Amount: 0.04 CFS

Diversion Point: SENW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW SENW Sec 01 T 10S R 15E

Diversion Means: DITCH

47-4287

MC CABE, FRED J.
RT. 1, FILER, ID 83328

Source: GROUNDWATER

Priority Date: 01/01/1948
Amount: 2.00 CFS

Diversion Point: NWSW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15

STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW

SESW NESW NWSW Sec 01 T 10S R 15E FOR 128

A C R E S

Diversion Means: WELL & PUMP

47-4288

MC CABE, FRED J.
RT. 1, FILER, ID 83328

Source: SEEPAGE (PEAVEY TUNNEL) tributary to UNNAMED STREAM (E COULEE)

Priority Date: 01/01/1920
Amount: 0.04 CFS

Diversion Point: NWSW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW NWSW Sec 01 T 10S R 15E

Diversion Means: DITCH

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, April 29, and May 6, 1982.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS) ss.

RECEIVED

No. 11516

I, Frederick J. McCabe Department being first duly sworn upc

oath, depose and say that I am owner 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

consecutive business days, commencing with the issue dated April 29, 1982, and ending with the issue dated May 6, 1982.

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 29 day of April, 1982.

Carver J. Jones
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
Southern Region

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

MAY 26, 1982

FRED J. MC CABE
RT. 1
FILER

ID 83328

RE: Claim No. 47-4288

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

RECEIVED
MAY 27 1982

Department of Water Resources

NOTICE OF CLAIMS TO WATER RIGHTS

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

42-4288-

MC CABE, FRED J.

RT. 1, FILER, ID 83328

Source: SEEPAGE (PEAVEY TUNNEL) tributary to UNNAMED STREAM (E COULEE)

Priority Date: 01/01/1920

Amount: 0.04 CFS

Diversion Point: NWSW Sec 01 T 10S R 15E, TWIN FALLS Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW NWSW Sec 01 T 10S R 15E

Diversion Means: DITCH

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 4/15 & 5/16/82.

RECORDED

*called correction
4/27/82
filed away*

47-4288
MC CABE, FRED J.
RT. 1, FILER, ID 83328
Source: SEEPAGE
(PEAVEY TUNNEL) tribu-
tary to UNNAMED
STREAM (E COULEE)
Priority Date: 01/01/1920
Amount: 0.04 CFS
Diversion Point: NWSW
Sec 01 T 10S R 15E, TWIN
FALLS Co.
Use: STOCKWATER
(0.04 CFS) from 01/01 to
4/2/31
Diversion Means: DITCH
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,
April 29, and May 6, 1962.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 22, 1982

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 MAY 17, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED