

Top 9S R& 14E

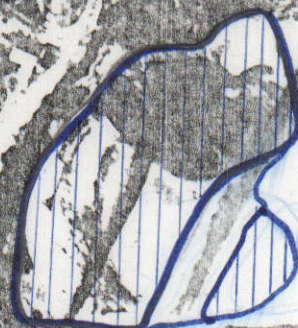
146-A
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146-A
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149A
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149A



PO

PO

Spring

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:

47-4271/
FAIRCHILD, ACEL &/or
LILLIAN
RT. 3 BUHL, ID 83316
Source: SPRING tributary to DEEP CREEK
Priority Date: 03/15/1930
Amount: 0.24 CFS
Diversion Point: SWSW
Sec 10 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.24
CFS) from 03/15 to 11/15
STOCKWATER (0.02
CFS) from 01/01 to 12/31
DOMESTIC (0.08 CFS)
from 01/01 to 12/31
Place of Use: NESE Sec
09 T 09S R 14E NWSW
Sec 10 T 09S R 14E FOR 8
ACRES

Diversion Means:
EARTH DAM & DITCH
47-4272

FAIRCHILD, ACEL &/or
LILLIAN
RT. 3, BUHL, ID 83316
Source: WASTE WATER
tributary to DEEP CREEK
SPRING tributary to
DEEP CREEK
Priority Date: 03/15/1958
Amount: 0.30 CFS
Diversion Point: NWSW
Sec 10 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.30
CFS) from 03/15 to 11/15
Place of Use: SWNW Sec
10 T 09S R 14E FOR 12
ACRES
Diversion Means:
CONCRETE CHECK
DIVERSION INTO DITCH
47-4273

CLEAR BROOKS
WATERUSERS ASSOC.
C/O SHARON GAILEY,
RT. 4, TWIN FALLS, ID
83301

Source: GROUNDWATER
Priority Date: 02/01/1960
Amount: 0.15 CFS
Diversion Point: SESE
Sec 11 T 10S R 16E, TWIN
FALLS Co.
Use: IRRIGATION (0.15
CFS) from 03/15 to 11/15
COMMERCIAL (0.02 CFS)
from 01/01 to 12/31
DOMESTIC (0.15 CFS)
from 01/01 to 12/31
FIRE PROTECTION (0.15
CFS) from 01/01 to 12/31
Place of Use: SESE Sec
11 T 10S R 16E FOR 5
ACRES
Diversion Means: WELL,
PUMP

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,
January 28, and February
4, 1982.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 11157

I, Jeani Stanger being first duly sworn upon 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 January 28, 1982, and ending with the issue dated February 4, 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.

FEB 8 1982

Subscribed and sworn to before me on this January 4, 1982 day of

Department of Water Resources
Southern District Office

Gladie J. Garrett
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 Ace1 and/or Lillian Fairchild
(Name of Claimant)
Rt. 3 Buhl, Idaho 83316 Telephone No. 543-5840
(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) March 15, 1958

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)
Waste water & Spring tributary to Deep Creek

(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>0.30</u>	Use	<u>Irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</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) .30 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. 10 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. Concrete Check Diversion into earth 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	
9S	14E	10							12										12

No. of acres 12

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:

MICROFILMED

A blank sheet of graph paper featuring a grid of squares. Each square is defined by solid horizontal and vertical lines. Within each square, there are dashed horizontal and vertical lines that intersect at the center, creating a smaller square in the middle of each larger square. The grid consists of 10 columns and 8 rows of these larger squares. There are some faint, light-colored marks or smudges on the paper, particularly near the top left and bottom right corners.

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.

Sworn to before me this 13 day of January, 19 82

My commission expires life

Received by T.C. Blau Date 1-13-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by NA Date 1-15-82 claimant by: _____
\$30.00 fee received by T.C.B. Date 1-13-82 # 20757
Published in Times Mirror _____
Dates 1/8 & 2/4/82 _____

Top 95 Rg 10

146-A
A50

U.S.

146-A
A68

149A
A66

Spring

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3576

FEBRUARY 17, 1982

ACEL FAIRCHILD
LILLIAN FAIRCHILD
RT.3
BUHL

ID 83316

RE: Claim No. 47-4272

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,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

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:

47-4271
FAIRCHILD, ACEL &/or
LILLIAN
RT. 3 BUHL, ID 83316
Source: SPRING tribu-
tary to DEEP CREEK
Priority Date: 03/15/1930
Amount: 0.24 CFS
Diversion Point: SWSW
Sec 10 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.24
CFS) from 03/15 to 11/15
STOCKWATER (0.02
CFS) from 01/01 to 12/31
DOMESTIC (0.08 CFS)
from 01/01 to 12/31
Place of Use: NESE Sec
09 T 09S R 14E NWSW
Sec 10 T 09S R 14E FOR 8
ACRES

Diversion Means:
EARTH DAM & DITCH
47-4272

FAIRCHILD, ACEL &/or
LILLIAN
RT. 3, BUHL, ID 83316
Source: WASTE WATER
tributary to DEEP CREEK
SPRING tributary to
DEEP CREEK
Priority Date: 03/15/1958
Amount: 0.30 CFS
Diversion Point: NWSW
Sec 10 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.30
CFS) from 03/15 to 11/15
Place of Use: SWNW Sec
10 T 09S R 14E FOR 12
ACRES
Diversion Means:
CONCRETE CHECK
DIVERSION INTO DITCH
47-4273

CLEAR BROOKS
WATERUSERS ASSOC.
C/O SHARON GARLEY,
RT. 4, TWIN FALLS, ID
83301

Source:
GROUNDWATER
Priority Date: 02/01/1980
Amount: 0.15 CFS
Diversion Point: SESE
Sec 11 T 10S R 10E, TWIN
FALLS Co.
Use: IRRIGATION (0.15
CFS) from 03/15 to 11/15
COMMERCIAL (0.02 CFS)
from 01/01 to 12/31
DOMESTIC (0.15 CFS)
from 01/01 to 12/31
FIRE PROTECTION (0.15
CFS) from 01/01 to 12/31
Place of Use: SESE Sec
11 T 10S R 10E FOR 5
ACRES
Diversion Means: WELL,
PUMP

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,
January 28, and February
4, 1982.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 11157

I, Johnnie J. Garrett being first duly sworn up-
oath, depose and say that I am Johnnie J. Garrett 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 weeks, commencing with the issue dated
January 28, 1982, and ending with the issue dated
February 4, 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 com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; ar-
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 28 day of January, 1982

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

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered
ATTORNEYS AT LAW
P.O. BOX 1906
TWIN FALLS, IDAHO 83301
TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

SUN VALLEY-KETCHUM OFFICE
P.O. BOX 2399
SUN VALLEY, IDAHO 83353
TELEPHONE (208) 726-4491

February 3, 1982

Mr. Loren Holmes
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Acel Fairchild - Application Nos. 47-4271,
47-4272 and 47-7787

Dear Loren:

The Twin Falls Canal Company Board of Directors have concerns about Application Nos. 47-4271, 47-4272, and 47-7787 as filed by Acel Fairchild.

The applicant should be aware that he establishes no right to the continued delivery of the water by Twin Falls Canal Company. This is strictly waste and subject to Twin Falls Canal Company's prior rights. There may or may not be water at this point of diversion.

While the Company has no objection to the use of the water because the water is only waste water below our last delivery, the purpose of this letter is to advise that the Coulee is mossed with chemical on an ongoing basis for operation and maintenance purposes and that water may not be available.

To the extent that the water quality is degraded by applicant's use, I am sure that the applicant is aware of their water quality problem. We would anticipate that if the Canal Company is ever sued for alleged water quality violations concerning this waterway, that they will also look to this user.

Please do not consider this an official protest to the permit, but we request that this letter be included in the file.

Respectfully submitted,

John A. Rosholt
JOHN A. ROSHOLT

RECEIVED
MAR 04 1982

JAR:bg

cc: Acel Fairchild
Warren Travis

Department of Water Resources

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:

47-4272-

FAIRCHILD, ACEL &/or LILLIAN

RT.3. BUHL, ID 83316

Source: WASTE WATER tributary to DEEP CREEK
SPRING tributary to DEEP CREEK

Priority Date: 03/15/1958

Amount: 0.30 CFS

Diversion Point: NWSW Sec 10 T 09S R 14E, TWIN FALLS Co.

Use: IRRIGATION (0.30 CFS) from 03/15 to 11/15

Place of Use: SWNW Sec 10 T 09S R 14E FOR 12 ACRES

Diversion Means: CONCRETE CHECK DIVERSION INTO 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 1/28 & 2/4/82.

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47-4272

FAIRCHILD, ACEL &/or
LILLIAN

RT. 3, BUHL, ID 83316

Source: WASTE WATER

tributary to DEEP CREEK

SPRING tributary to

DEEP CREEK

Priority Date: 03/15/1958

Amount: 0.30 CFS

Diversion Point: NWSW

Sec 10 T 09S R 14E, TWIN

FALLS Co.

Use: IRRIGATION (0.30

CFS) from 03/15 to 11/15

Place of Use: SWNW Sec

10 T 09S R 14E FOR 12

ACRES

Diversion

Means:

CONCRETE

CHECK

DIVERSION INTO DITCH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 20, 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 FEBRUARY 15, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

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