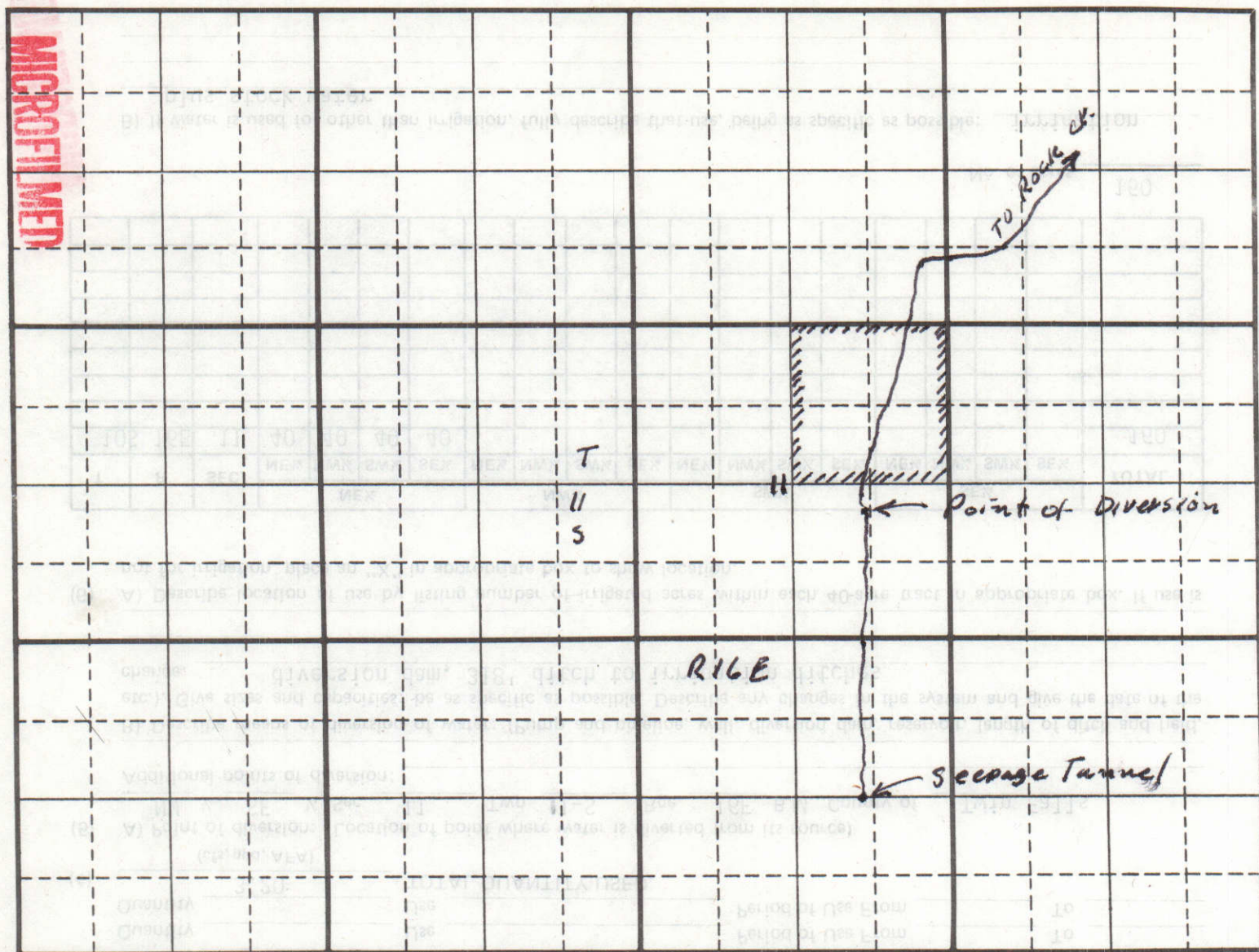


(8) Remarks The present farmers have been using 160 inches of water since 1969 for farming and cattle uses - 60 inches of the 160 claimed has been patented under License 47-2351



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.

Bert M. Tolbert

(Claimant)

Sworn to before me this 22 day of May

, 19 81.

Loren O. Hulmer

Notary Public

Residing at Twin Falls, Idaho 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by LA

Date 5/22/81

Exception filed by:

Forwarded to

Date

Prelim. check by JP

Date 5-26-81

claimant by:

\$30.00 fee received by manly

Date 5/22/81 #18624

Published in Times News

Dates 6/4 & 6/11/81

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:

47-4247

TOLBERT, NATHAN E. &/or BERT M.

CHILDS, MARIAN E.

ESTHER EWING TRUST

C/O PAUL SLIGAR, RT.

4, TWIN FALLS, ID 83301

Source: DRAINAGE tributary to ROCK CREEK

L.P. COULEE tributary to ROCK CREEK

Priority Date: 03/29/1961

Amount: 3.20 CFS

Diversion Point: NWSE

Sec 11 T 11S R 16E, TWIN FALLS Co.

Use: IRRIGATION (3.20

CFS) from 03/15 to 11/15

STOCKWATER (0.07

CFS) from 01/01 to 12/31

Place of Use: NENE

NWNE SWNE SENE Sec

11 T 10S R 16E FOR

160 ACRES

Diversion Means:

DIVERSION DAM, DITCHES

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,

June 4, and 11, 1981.

Affidavit of Publication

Nº 10145

STATE OF IDAHO,

COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBaie being first duly sworn upo.

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

June 4, 1981, and ending with the issue dated

June 11, 1981.

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 11 day of

Linda Capps McBaie

June 1981

Shelba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Water Resources
District Office

17 1981

FILED

ok maps

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 23, 1981

NATHAN E. TOLBERT
BERT M. TOLBERT
MARIAN E. CHILDS
ESTHER EWING TRUST
C/O PAUL SLIGAR
RT. 4
TWIN FALLS

ID 83301

RE: Claim No. 47-4247

Dear Claimant:

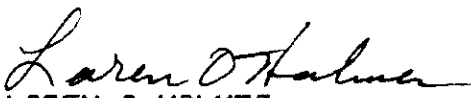
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

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 Nathan E. Tolbert, Bert M. Tolbert, Marian E. Childs, Esther Ewing
Trust % Paul Sligar, R. R. 4, Twin Falls (Name of Claimant)
Idaho 83301 (Mailing Address) Telephone No. 733-8230 (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 29, 1961

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)

Drainage, L.P. Coulee tributary to Rock 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>3.20</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>.07</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

(4) 3.20 (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 11 Twp. 11-S 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.
diversion dam, 318' ditch to irrigation ditches

(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	
<u>105</u>	<u>16E</u>	<u>11</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>													<u>160</u>

No. of acres 160

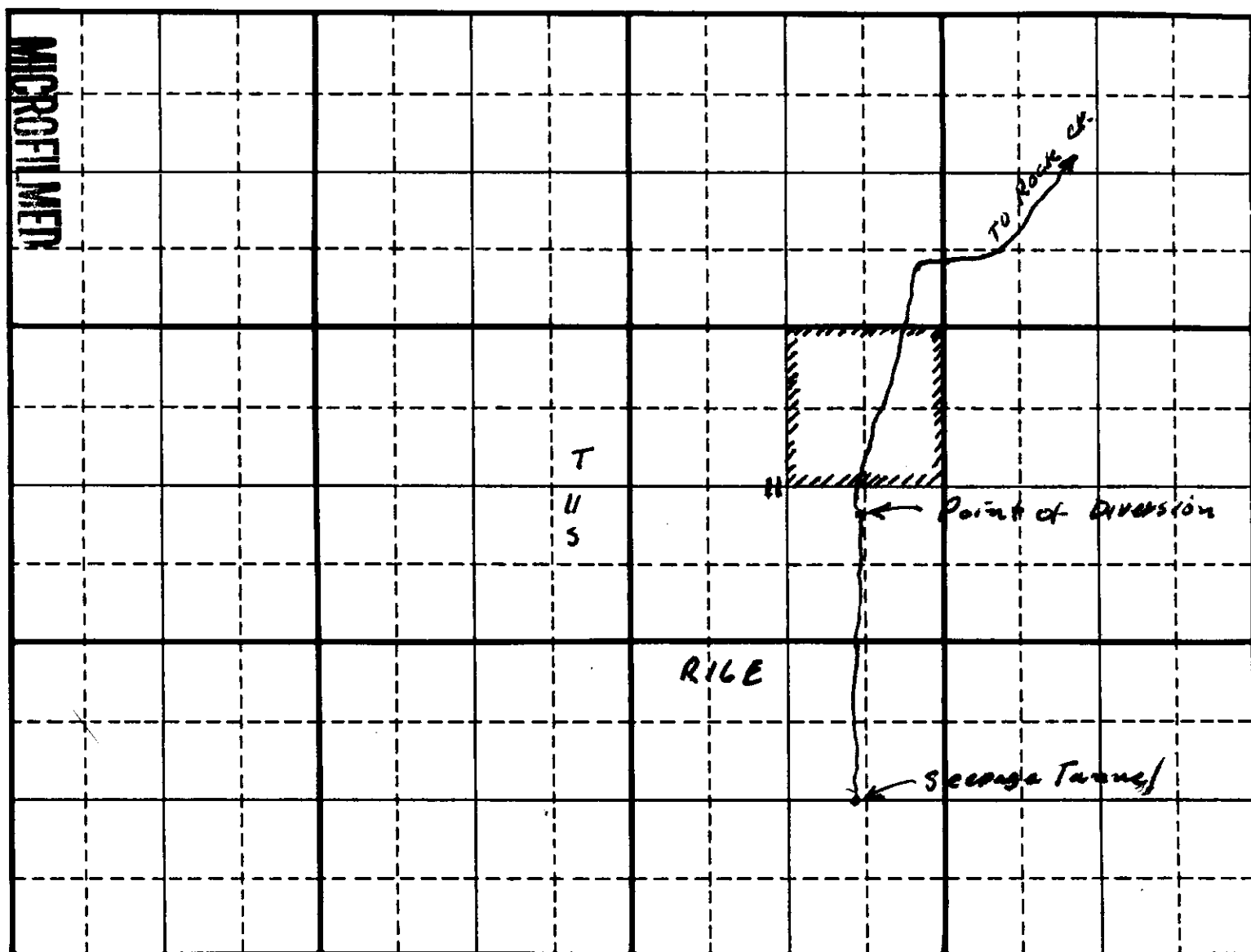
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: irrigation
plus stock water

NOTE: Include here the type and number of stock watered: 150-300 head cow-calf pairs

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

MICROFILMED

(8) Remarks The present farmers have been using 160 inches of water since 1969 for farming and cattle uses - 60 inches of the 160 claimed has been patented under License 47-2351



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.

Bert M. Tolbert
(Claimant)

Sworn to before me this 22 day of May, 19 81.

Loren O. Palmer
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by LA Date 5/22/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JP Date 5-26-81 claimant by: _____
\$30.00 fee received by mary Date 5/22/81 #18624
Published in Times News
Dates 6/4 & 6/11/81

Microfilmed

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claims to water rights have been established by application and application to beneficial use:
17-1087
TOLBERT, NATHAN E.
S/er BUREN
CHILDS, MARIAN E.
ESTHER EVING TRUST
C/O PAUL BLAIR, RT.
4, TWIN FALLS, ID 83301
Source: DRAINAGE tributary to ROCK CREEK
L.F. COWLEY tributary to ROCK CREEK
Priority Date: 03/29/1981
Amount: 2.25 CFS
Diversion Point: NWSE Sec 11 T 19S R 16E, TWIN FALLS Co.
Use: IRRIGATION 0.20 CFS from 03/15 to 11/15
STOCKWATER 0.07 CFS from 01/01 to 12/31
Place of Use: NENE AWWSE BUREN GENE Sec 11 T 19S R 16E FOR 150 ACRES
Diversion Point: DIVERSION DAM, EXT. CH23
17-1087
Any objection 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, June 4, and 11, 1981.

Affidavit of Publication

Nº 10145

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBaine being first duly sworn upo
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
June 4, 1981, and ending with the issue dated
June 11, 1981.

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 McBaine
Subscribed and sworn to before me on this 11 day of

June 1981
Delba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Water Resources
District Office

NO USE 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:

4Z-424Z-

TOLBERT, NATHAN E. &/or BERT M.
CHILDS, MARIAN E.
ESTHER EWING TRUST

C/O PAUL SLIGAR, RT. 4, TWIN FALLS, ID 83301

Source: DRAINAGE tributary to ROCK CREEK
L. P. COULEE tributary to ROCK CREEK

Priority Date: 03/29/1961

Amount: 3.20 CFS

Diversion Point: NWSE Sec 11 T 11S R 16E, TWIN FALLS Co.

Use: IRRIGATION	(3.20 CFS)	from 03/15 to 11/15
STOCKWATER	(0.07 CFS)	from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE Sec 11 T 10S R 16E FOR 160 ACRES

Diversion Means: DIVERSION DAM, DITCHES

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 6/4 & 6/11/81.

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006.8 IN 14:32

Legal Notice to Start
Thursday, June 4, 1981.

**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:

47-4247

TOLBERT, NATHAN E.
&/or BERT M.

CHILDS, MARIAN E.
ESTHER EWING TRUST
C/O PAUL SLIGAR, RT.
4, TWIN FALLS, ID 83301

Source: DRAINAGE trib-
utary to ROCK CREEK
L.P. COULEE tributary to
ROCK CREEK

Priority Date: 03/29/1961

Amount: 3.20 CFS

Diversion Point: NWSE
Sec 11 T 11S R 16E, TWIN
FALLS Co.

Use: IRRIGATION (3.20
CFS) from 03/15 to 11/15
STOCKWATER (0.07

CFS) from 01/01 to 12/31
Place of Use: NENE
NWNE SWNE SENE Sec
11 T 10S R 10S 16E FOR
160 ACRES

Diversion Means:
DIVERSION DAM, DIT-
CHES

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,
June 4, and 11, 1981.

*called correction
omit*

*ok
6/17/81*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(209) 734-3578

MAY 27, 1981

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 22, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED
MAY 28 1981