

PROF. L. M. E.

P. 105

P. 135

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.

County of Twin Falls

Jose Babinaya
(Claimant)

mary a. bell

Residing at Twin Falls, Id

My commission expires Life

Received by J F Stanton
Prelim. check by ADM
\$20.00 fee received by maeyu
Published in Annals of the Entomological Society of America
Dates 12/18 & 12/25/80

Date 12-3-80 Ex
Date 12-4-80
Date 12/2/80 #16699

Exception filed by:

Forwarded to
claimant by:

Date _____

Affidavit of Publication

Nº 9857

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McQuire being first duly sworn upon
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
December 18, 1980, and ending with the issue dated
December 25, 1980.

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

Linda Capps McQuire
Subscribed and sworn to before me on this 30 day of

December 1980
Delba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

47-4198
BARINAGA, JOSE
RT. 1 CASTLEFORD, ID
83321
Source: WASTEWATER
tributary to SALMON
FALLS CREEK
Priority Date: 06/01/1949
Amount: 0.20 CFS
Diversion Point: SWSE Sec
25 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (0.20 CFS)
from 03/15 to 11/15
Place of Use: SWSE Sec 25 T
10S R 13E FOR 1 ACRES
Diversion Means: PUMP
AND DITCH

RECEIVED

JAN 5 1981

Department of Water Resources
Southern District Office

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 7, 1981

JOSE BARINAGA
RT. 1
CASTLEFORD

ID 83321

RE: Claim No. 47-4198

Dear Claimant:

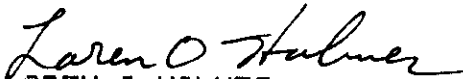
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

SCANNED

JAN 7 2007

Enclosure

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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 Jose Barinaga
(Name of Claimant)

Route #1, Castleford, Id 83321 Telephone No. 537-6645
(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) June /August 1, 1949

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)

Wastewater tributary to Salmon Falls 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>0.20 cfs</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) 0.20 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SE 1/4, Sec. 25 Twp. 10S Rge. 13E 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. 3 hp pump w/2" line from ditch to lawn around home

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	13E	25															1.5		1.5

No. of acres 1.5

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:

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Diagram showing a horizontal line and a vertical line intersecting. The vertical line is labeled "R. 13E" at the top and "R. 14" at the bottom. The horizontal line is labeled "T. 10S" on the left and "25" on the right. The intersection point is marked with a small circle and labeled "A. 14".

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.

County of Twin Falls

Jose Padinoya
(Claimant)
_____, 1980.

Mary A. Hull
Notary Public
Residing at Twin Falls, Id

FOR DEPARTMENT USE ONLY

Received by J. E. Stanton Date 12-2-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 12-4-80 claimant by: _____
\$20.00 fee received by manus Date 12/2/80 #16699
Published in Times News _____
Dates 12/18 + 12/25/80 _____

Affidavit of Publication

Nº 9857

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

I, Linda Capps McGuire being first duly sworn upon
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

December 18, 1980, and ending with the issue dated
December 25, 1980.

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

Linda Capps McGuire
Subscribed and sworn to before me on this 30 day of

December, 1980.

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

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Department of State Records
Twin Falls District Office

WARRANTY DEED

THIS INDENTURE, made this 1st day of June, 19 49, between

Albert E. Heller, also known as A. E. Heller and Laura Heller,
husband and wife

of Castleford, County of Twin Falls, State of Idaho,

the parties of the first part, hereinafter called the grantor, and

Jose Barinaga and Marilyn Barinaga, husband and wife

of Castleford, County of Twin Falls, State of Idaho,

the parties of the second part, hereinafter called the grantee,

WITNESSETH, that the grantor, for and in consideration of the sum of

Ten (\$10.00) - - - - - DOLLARS,

in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all of the following described real estate, situated in Twin Falls County, State of Idaho:

That portion of the West Half of the West Half of the Southeast Quarter of Section Twenty-five (25) Township Ten (10), South, of Range Thirteen (13) East of the Boise Meridian, described as follows, to-wit:

Beginning at the Southwest corner of the $W\frac{1}{2}$ $W\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 25 Tp. 10 S.R. 13 E.B.M., running thence East along the South line of said subdivision a distance of 165 feet; thence North parallel with the West line of said Subdivision a distance of 350 feet; thence West parallel with the South line of said Subdivision, a distance of 165 feet to the West line of said Subdivision; thence South along the west line of said subdivision, a distance of 350 feet to the point of beginning.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

Albert E. Heller

Laura Heller

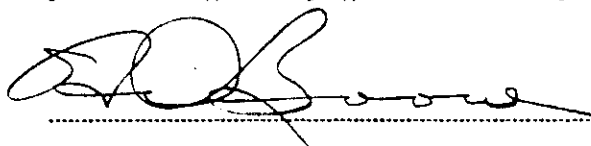
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STATE OF IDAHO }
County of Twin Falls } ss.

On this 1st day of June, 1949, before me, the undersigned, a Notary Public in and for said State, personally appeared Albert E. Heller, also known as A. E. Heller and Laura Heller, husband and wife

known to me to be the person.s whose name.s are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for the State of Idaho

residing at Twin Falls, Idaho

No. 391907	WARRANTY DEED	Albert E. Heller
JOE BARNAGA	STATE OF IDAHO, ss. County of Twin Falls	I hereby certify that this instrument was filed for record at the request of JOE BARNAGA
at 4:00 minutes past 3 o'clock P. M., on AUG 5, 1949	page 418	of Deeds at
By C. A. Reeves, Ex-Officio Recorder	Deputy	Fees \$ 1.50
From the office of: BOONE ABSTRACT COMPANY Twin Falls, Idaho	Return to: JOE BARNAGA	Clifford

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:

47-4198

BARINAGA, JOSE

RT. 1, CASTLEFORD, ID 83321

Source: WASTEWATER tributary to SALMON FALLS CREEK

Priority Date: 06/01/1949

Amount: 0.20 CFS

Diversion Point: SWSE Sec 25 T 10S R 13E, TWIN FALLS Co.

Use: IRRIGATION (0.20 CFS) from 03/15 to 11/15

Place of Use: SWSE Sec 25 T 10S R 13E FOR 1 ACRES

Diversion Means: PUMP AND 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.

C. STEPHEN ALLRED

Director

Published 12/18 & 12/25/80.

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ok
macy
12/17/80

47-4198
BARINAGA, JOSE
RT. 1 CASTLEFORD, ID
83321
Source: WASTEWATER
tributary to SALMON
FALLS CREEK
Priority Date: 06/01/1949
Amount: 0.20 CFS
Diversion Point: SWSE Sec
25 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (0.20 CFS)
from 03/15 to 11/15
Place of Use: SWSE Sec 25 T
10S R 13E FOR 1 ACRES
Diversion Means: PUMP
AND DITCH

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 15, 1980

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 JANUARY 5, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

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