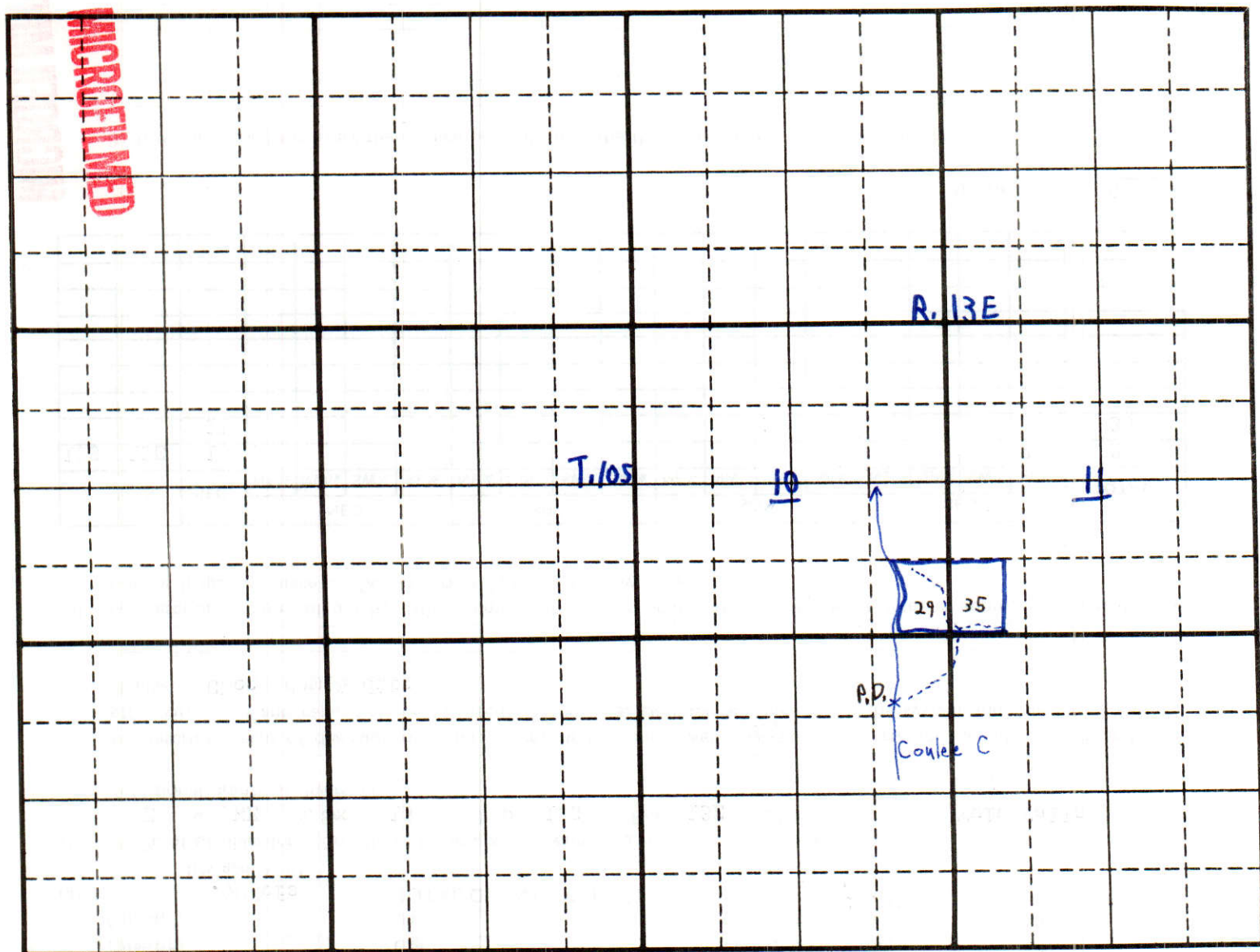


(8) Remarks _____



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.

Jose Baimaga
(Claimant)

Sworn to before me this 2nd day of December, 19 80.

Mary A. Hill

Notary Public
Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. Stanton Date 12-2-80 Exception filed by: _____ Date _____
Prelim. check by ADN Date 12-4-80 Forwarded to claimant by: _____
\$20.00 fee received by Mary A. Hill Date 12-2-80 #16699
Published in Turner News
Dates 12/18 & 12/25/80

Affidavit of Publication

Nº 9859

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McSwine 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, 19 80, and ending with the issue dated December 25, 19 80.

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 30 day of

December 19 80

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

47-4196
BARINAGA, JOSE
RT. 1, CASTLEFORD, ID
83321
Source: WASTEWATER
tributary to SALMON
FALLS CREEK
Priority Date: 07/06/1909
Amount: 4.00 CFS
Diversion Point: NENE Sec
15 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (4.00 CFS)
from 03/15 to 11/15
STOCKWATER (0.07 CFS)
from 03/15 to 11/15
Place of Use: SESE Sec 10 T
10S R 13E SWSW Sec 11 T
10S R 13E FOR 64 ACRES
Diversion Means: CHECK
DAM AND DITCH

MICROFILMED

RECEIVED

JAN 5 1981

Department of Water Resources
Southern District Office

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. 47-4196

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 4 2002

Enclosure

RECORDED

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, Idaho 83321 (Mailing Address) Telephone No. 537-6645 (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) July 6, 1909

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>4.00 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity	<u>0.07 cfs</u>	Use	<u>livestock</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

(4) 4.00 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 15 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. Check dam & 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	13E	10																29	29
		11											35						35

No. of acres 64

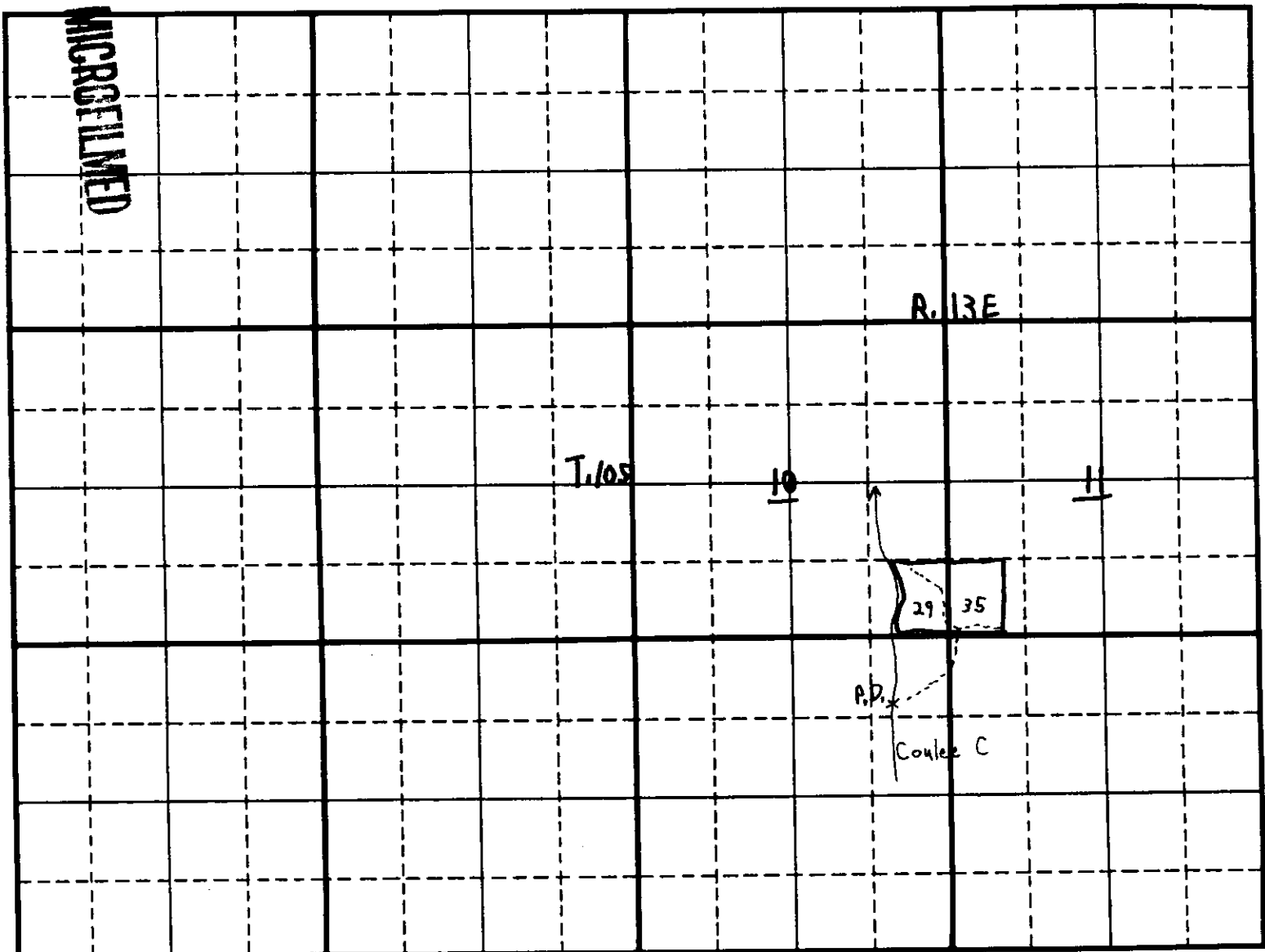
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 300 range cattle &/or 3000 sheep

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

MICROFILMED

(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.

Jose Baimera
(Claimant)

Sworn to before me this 2nd day of December, 19 80.

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

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. S. Stanton Date 12-2-80 Exception filed by: _____ Date _____
Prelim. check by ADN Date 12-4-80
\$20.00 fee received by Mesa Date 12-2-80 #16699
Published in Times & News
Dates 12/18 & 12/25/80

Affidavit of Publication

Nº 9859

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McSwine 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, 19 80, and ending with the issue dated
December 25, 19 80.

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 McSwine
Subscribed and sworn to before me on this 30 day of

December 19 80

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

MICROFILMED

JAN 5 1981

DEC 1980

No. 1 Continued.

of courts. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

(SEAL) By the President: Woodrow Wilson
By M. P. LeRoy, Secretary
H. W. Sanford, Recorder of
the General Land Office.

(2)

State of Idaho,
to
James Monroe.

FINAL CERTIFICATE
F.C. Book 1 Page 240
Dated July 6, 1909
Filed Nov. 22, 1909

Submits evidence of the reclamation, cultivation and settlement of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, Tp. 10 S., R. 13, E.B.M., and other property, containing 120 acres, and has paid to the State of Idaho the sum of \$30. being the final payment.

H. B. Lewis, Agent State
Land Department

Certified, examined and approved August 10, 1909
By Order of the State Board of Land Commissioners.
(SEAL) M. I. Church, Register.

(3)

State of Idaho,
to
James Monroe.

CAREY ACT PATENT
C.A.P. Book 2 Page 310
Dated April 5, 1913
Filed Oct. 17, 1916

GRANTS to second party: SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, Tp. 10 S., R. 13 E.B.M. and other property, containing 120 acres, more or less.

John M. Haines, Governor

Countersigned: N. Jenness, Register State Board
(SEAL) of Land Commissioners.

Countersigned: Wilfred L. Gifford, Secretary of
(SEAL) State.

(4)

James Monroe and Hulda —
Munroe, his wife,
to
Citizens State Bank.

MORTGAGE \$400.
Mtg. Book 9 Page 299
Dated Nov. 19, 1909 ✓
Filed Nov. 22, 1909

MORTGAGE to second party: SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, Tp. 10 S., R. 13 E.B.M. and other property,

FLB 4

MICROFILMED

No. 55 Continued.

and personal property described in their complaint.

IT IS ORDERED that the titles of the plaintiffs to said real property to-wit:

S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 10; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14; and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 15, all in Tp. 10 S., R. 13 E.B.M. together with all water rights, represented by shares in the Twin Falls Canal Company, and the personal property which was on said premises on Sept. 8, 1922.

Be, and the same is established, confirmed and quieted in the plaintiffs as against any and all adverse claims and interests of the defendants.

Wm. A. Babcock, Judge District Court.

(56)

Edwin Monroe, a bachelor,
to
Harland Monroe.

WARRANTY DEED
Deed Book 91 Page 298
Dated April 11, 1929
Filed May 8, 1929

Said parties are now owners in common, each having an undivided half interest in: S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 10; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 15 all in Tp. 10 S., R. 13 E.B.M. together with 226.36 shares of capital stock of the Twin Falls Canal Company.

That agreement has been reached by which said real property is to be apportioned and divided between them so that each shall have and hold his interest separately and in entirety.

Edwin Monroe, GRANTS, BARGAINS, SELLS AND CONVEYS to Harland Monroe all right, title, estate and interest in and to that portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10 surrounded by and described as follows:

BEGINNING at a point 200 feet East of the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, running

THENCE in a Southeasterly direction to point on South line of said 40 acre tract, which is 500 feet East of the Southwest corner, thereof;

THENCE East to Southeast corner of said 40 acre tract;

THENCE North to Northeast corner of said 40 acre tract;

THENCE West to point of beginning. FLB 31

ALSO all of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11; and all the

MICROFILMED

No. 56 Continued.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14 all in Tp. 10 S., R. 13 E.B.M. together with 109.40 shares of capital stock of the Twin Falls Canal Company.

ALSO an easement and right of way to become and be appurtenant to that portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10 above conveyed to him, and which shall consist of and be the right to use of one-half of waste water that is carried by coulee running in a northerly direction through N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 15 and right to make use of said coulee for running of water to his said land.

Edwin Monroe

Ack., April 13, 1929 by Edwin Monroe before Marlin J. Sweeley, Notary Public, Twin Falls County, Idaho. (SEAL)

(57)

J. Harland Monroe and
M. Edith Monroe,
to
Idaho Power Company.

APPLICATION FOR ELECTRIC
SERVICE
Misc. Book 12 Page 267
Dated June 17, 1929
Filed August 30, 1929

APPLIES for electric service on:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11, Tp. 10 S., R. 13 E.B.M.
TERM: July 20, 1929 to July 20, 1934
ON THE FOLLOWING TERMS: \$152.75 cash and \$72.
yearly.

The terms and conditions of this contract shall be a lien on the above described property during the term of the same.

WITNESS:
W. O. Watts

J. Harland Monroe
M. Edith Monroe

Accepted Dec. 13, 1928
IDAHO POWER COMPANY
By J. D. Orr Division Manager

Ack., June 17, 1929 by J. Harland Monroe and M. Edith Monroe, husband and wife, before W. O. Watts, Notary Public, Twin Falls County, Idaho. (SEAL)

(58)

The caption land is within the AMERICAN FALLS RESERVOIR DISTRICT and subject to its assessments from Jan. 22, 1923, which assessments are collected yearly with other taxes through the County Treasurer's office.

FLB 32

MICROFILMED

No. 77
Deed

J W Gabhart and Kathleen
M Gabhart, his wife
to
Earl W Saxton and Emma
Marie Saxton, his wife and
Kenneth Eugene Saxton, a
bachelor

WARRANTY DEED
Dated October 23, 1943.
Filed November 8, 1943.
Recorded in Book 135 of
Deeds, page 374.
Consideration \$13,675.00.

Convey The East 29.4 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 10, the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 11, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 14, all in Tp 10 S,
R 13 E B M, together with 109.4 shares of the capital stock of
the Twin Falls Canal Company.

Subject to an unpaid balance on mortgage of \$4800.00 to
the Federal Land Bank of Spokane. There is also granted to
second parties an easement and right of way to become and be
appurtenant to that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec 10,
above conveyed to second parties, and which shall consist of
and be the right to the use of one half of the waste water that
is carried by the coulee running in a northerly direction
through the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 15 Tp 10 S R 13 E B M, and of the
right to make use of said coulee for the running of water to
their land.

Signed: J W Gabhart
Kathleen M Gabhart

Acknowledged October 23, 1943 before J W Taylor, Notary
Public, Twin Falls County, Idaho (Seal).

No. 78
Mortgage

Earl W Saxton & Emma Marie
Saxton, his wife, & Kenneth
Eugene Saxton, a bachelor
to
J W Gabhart and Kathleen M
Gabhart, his wife

MORTGAGE
Dated November 1, 1943.
Filed November 13, 1943.
Recorded in Book 127 of
Mortgages, page 316.
Consideration \$3997.19.

Covers The East 29.4 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Sec 11 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 14 all in Tp 10 S R 13 E B M, to-
gether with 109.4 shares of the capital stock of the Twin Falls
Canal Company.

Subject to unpaid balance on mortgage of \$4800.00 to the
Federal Land Bank of Spokane.

Given to secure payment of two notes of even date, one for
\$2000.00 due on or before December 15, 1944, and one for \$1997.19
due on or before December 15, 1945, with the privilege of paying
any amount at any time before maturity.

Signed: Earl W Saxton
Emma Marie Saxton
Kenneth Eugene Saxton

Acknowledged November 2, 1943 by Earl W Saxton before J W
Taylor, Notary Public, Twin Falls County, Idaho (Seal).

Acknowledged November 4, 1943 by Emma Marie Saxton and Ken-
neth Eugene Saxton, a bachelor, before John L Foote, Notary Public,
Columbia County, Oregon (Seal).

No. 79
Release

J W Gabhart and Kathleen M
Gabhart, husband and wife
to
Earl W Saxton and Emma Marie
Saxton, husband and wife,
and Kenneth Eugene Saxton, a
single man

SATISFACTION OF MORTGAGE.
Dated January 24, 1945.
Filed February 28, 1945.
Recorded in Book 51 of Satis-
factions of Mortgages, page 674.

Certify that a certain Mortgage, dated November 1, 1943, made
and executed by Earl W Saxton and Emma Marie Saxton, husband and
wife, and Kenneth Eugene Saxton, a single man, to J W Gabhart and

(Continued)

No. 81
Petition

Title of Court and Matter PETITION.
as above Filed November 12, 1948.

Edwin Monroe and Pearl Monroe, husband and wife, the above named plaintiffs, and Earl W Saxton and Emma Saxton, husband and wife, the above named defendants, petition the Court and allege that the above entitled case was tried before the above entitled Court on June 18, 1946.

That neither Findings of Fact nor Conclusions of Law nor a Decree have ever been made or entered in said case.

That under date of March 22, 1948, the above named plaintiffs and defendants made and entered into a written agreement regarding the subject matter of above entitled case, compromising and settling their differences regarding said subject matter; that a true and correct copy of said written agreement is made a part hereof; that said written agreement was completed, signed and acknowledged by said parties on April 16, 1948, and ever since said date, plaintiffs and defendants have been and now are handling the water and ditches described in said Agreement in conformance with the terms and provisions of said Agreement.

Petitioners believe and allege that the terms and provisions of said Agreement are fair and reasonable and petitioners' compliance therewith and observance thereof is advantageous to all of petitioners. That petitioners believe and allege that said written agreement and all of its terms and provisions should be by the above entitled court approved and confirmed.

Pray that the above entitled Court approve and confirm the terms and provisions of said Written Agreement in lieu of making and entering its Findings of Fact, Conclusions of Law and Decree in the above entitled case.

That plaintiffs be required to pay their own costs and that defendants be required to pay their own costs herein.

Signed: Frank L Stephan,
Attorney for Petitioners Saxton
Graydon W Smith,
Attorney for Petitioners Monroe
Residing at Twin Falls, Idaho.

No. 82
Agreement

Title of Court and Matter AGREEMENT.
as above Dated March 22, 1948.
 Filed November 12, 1948.

Agree that the plaintiffs are to have the exclusive right to and use of that certain ditch now existing and running and lying along the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 14, Tp 10 S R 13 E B M, which said 40 acre tract is now owned by said defendants, for the purpose of transporting an unlimited amount of water through said ditch to the lands now owned by plaintiffs hereinabove described; that plaintiffs shall have a right of way for said ditch and its use and maintenance ten feet in width.

That the defendants shall cease using and shall abandon the use of that certain ditch now existing and running and lying along the south edge of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 14 Tp 10 S R 13, and grant and convey to plaintiffs an exclusive right and easement to use said ditch to convey water to his lands as aforesaid and defendants are to construct, at their own expense and for their own use a new ditch approximately four feet north of the old ditch above described and running parallel to said ditch and are to transport through said new ditch all of the water now belonging to defendants and heretofore conveyed through said old ditch, it being specifically understood and agreed that in the construction of said new ditch defendants may remove the dirt on and along the banks of old ditch down to eight inches above the normal water level in said old ditch.

Plaintiffs further agree to surrender to defendants all right and title and interest in and to that certain ditch hereinabove described as running from Coulee C and crossing the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 15 Tp 10 S R 13 E B M, which lands are owned by plaintiffs, and plaintiffs further agree that defendants may use said ditch for the transportation of not more than 200 inches of waste water from Coulee C

(Continued)

No. 82
Continued

in said ditch. Plaintiffs agree to give and grant to defendants and defendants do agree to accept a maximum head of 200 inches, to be transported through said ditch from Coulee C subject however to the express condition that whenever the flow of water in said Coulee C shall fall below 400 inches, said water shall be divided equally between plaintiffs and defendants. Plaintiffs further agree that they, will build on said N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 15 Tp 10 S R 13 E B M, a new ditch on the north side of the established ditch in paragraph first described which shall run parallel to said established ditch to be used exclusively by plaintiffs for the irrigation of their lands to the north thereof.

Further agreed that if the Twin Falls Canal Company will consent to do so, one headgate may be installed on Lateral No. 5-A by Twin Falls Canal Company and that the expense of installing said headgate shall be shared equally by parties to this agreement. The expense of installing a headgate or headgates on said Coulee C, which will be used to divert wastewater from said Coulee C into the two ditches described shall be borne equally by plaintiffs and defendants. The plaintiffs and defendants further agree to maintain their respective ditches at their own expense, to keep them in repair, keep down weeds of all kinds and to operate, maintain and care for said ditches in such a manner as to prevent the water flowing in said ditches from overflowing their respective banks.

Further provided, agreed and understood that plaintiffs shall have the right to connect, by tile pipe, their two septic tanks, situated on the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 15 Tp 10 S R 13 E B M, in such manner that the sewerage disposal from plaintiffs' house now situated on said premises shall run into said ditch as described above. It being agreed that said tile pipe or conduit shall be constructed so as not to be in violation of law.

Agreed that in the matter of the case is still pending in the District Court in Twin Falls County, the parties to said action shall pay their own respective costs incurred to date in said action and neither of the parties shall be entitled to Judgment against the other party for costs or disbursements.

Signed: Edwin Monroe

Mrs. Pearl Monroe, Plaintiffs

Earl W Saxton

Emma Saxton, Defendants.

Acknowledged March 22, 1948 by Edwin Monroe and Pearl Monroe, husband and wife, before Frank L Stephan, Notary Public, Twin Falls County, Idaho (Seal)

Acknowledged April 16, 1948 by Earl W Saxton and Emma Saxton, husband and wife, before Pauline Brandenfels, Notary Public, Columbia County, Oregon (Seal)

No. 83
Order

Title of Court and Matter
as above

ORDER.

Dated December 17, 1948.

Filed December 17, 1948.

Recites hearing on above entitled matter.

Court finds that since the trial of said case plaintiffs and defendants have made and entered into an Agreement in writing dated March 22, 1948, settling and compromising all issues involved in above entitled case; that the terms and provisions set out in said written agreement are fair, reasonable and equitable and are not prejudicial to the rights or interests of any person, association or corporation owning land or water or water rights or being charged with the duty or responsibility of distributing water

(Continued)

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:

42-4196

BARINAGA, JOSE

RT. 1, CASTLEFORD, ID 83321

Source: WASTEWATER tributary to SALMON FALLS CREEK

Priority Date: 07/06/1909

Amount: 4.00 CFS

Diversion Point: NENE Sec 15 T 10S R 13E, TWIN FALLS Co.

Use: IRRIGATION	(4.00 CFS)	from 03/15 to 11/15
STOCKWATER	(0.07 CFS)	from 03/15 to 11/15

Place of Use: SESE Sec 10 T 10S R 13E SWSW Sec 11 T 10S R 13E
FOR 64 ACRES

Diversion Means: CHECK DAM 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.

MICROFILMED

47-4186
BARINAGA, JOSE
RT. 1, CASTLEFORD, ID
83321
Source: WASTEWATER
tributary to SALMON
FALLS CREEK
Priority Date: 07/06/1909
Amount: 4.00 CFS
Diversion Point: NENE Sec
15 T 10S R 13E, TWIN
FALLS Co.
Use: IRRIGATION (4.00 CFS)
from 03/15 to 11/15
STOCKWATER (0.07 CFS)
from 03/15 to 11/15
Place of Use: SESE Sec 10 T
10S R 13E SWSW Sec 11 T
10S R 13E FOR 64 ACRES
Diversion Means: CHECK
DAM AND DITCH

*sd
mays
14/17/80*

STATE OF IDAHO
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 billings to this office before JANUARY 5, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED