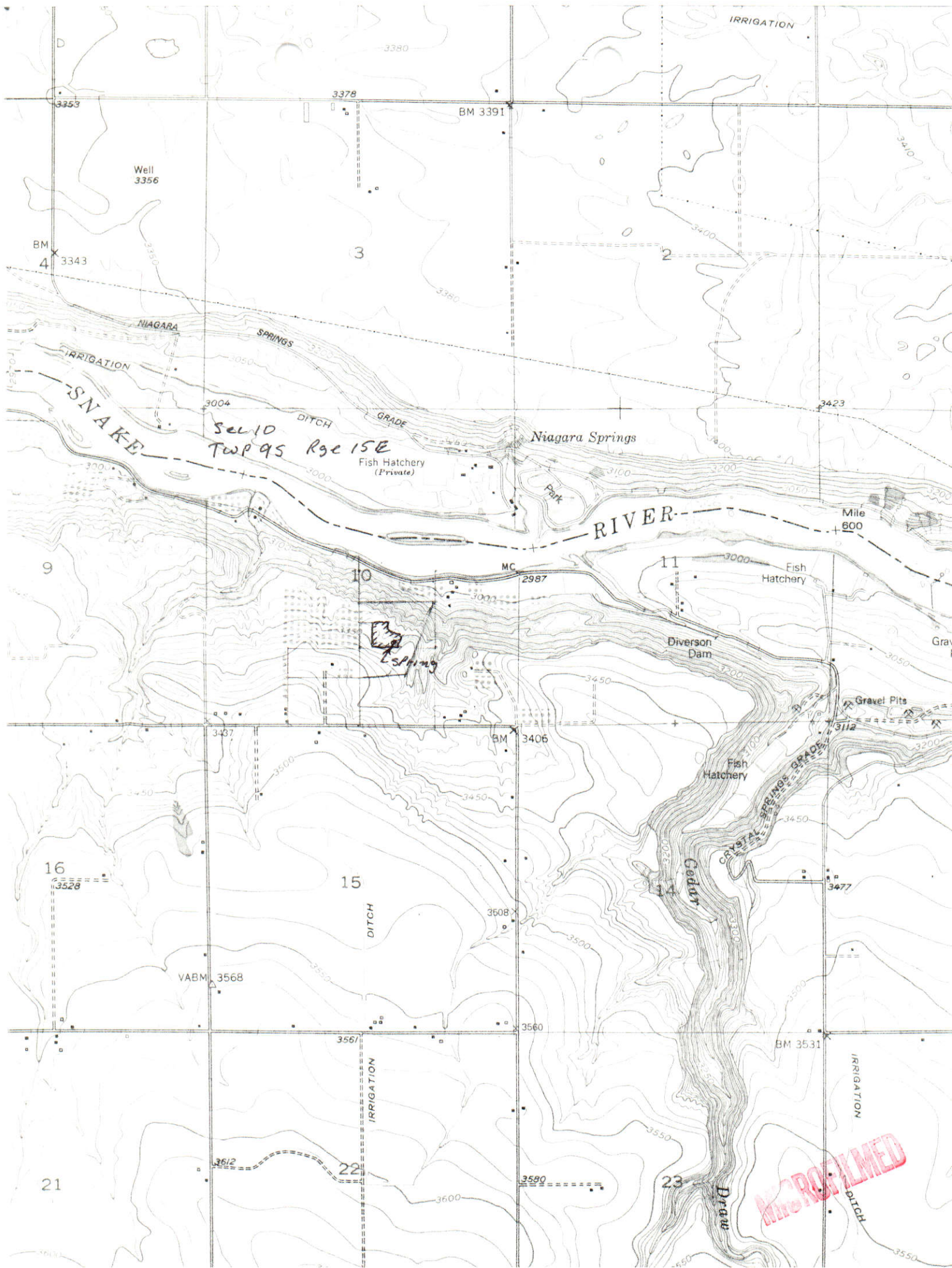




47-4172
KING, LYLE
RT. 4 BOX 160, BUHL, ID
83316
Source: SPRING tributary to
SNAKE RIVER
Priority Date: 04/01/1950
Amount: 0.10 CFS
Diversion Point: LOT 07
(NWSE) Sec 10 T 09S R
15E, TWIN FALLS CO.
Use: IRRIGATION (0.10 CFS)
from 3/15 to 11/15
Place of Use: LOT 07
(NWSE) Sec 10 T 09S R
15E FOR 5 ACRES
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.
C. STEPHEN ALLRED
Director
PUBLISH: Thursday, Aug. 7,
and 14, 1980.

Affidavit of Publication

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

N^o 9562

I, Linda Capps McSwine being first duly sworn upon
oath, depose and say that I am Prue Clark 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
August 7, 1980, and ending with the issue dated
August 14, 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.

Subscribed and sworn to before me on this

Linda Capps McSwine
August, 1980.

15 day of

Melba Rowlett Smith
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

RECEIVED

CLAIM TO A WATER RIGHT

JUL 23 1980

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the ~~Southern District Office~~ 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 Lyle King (Name of Claimant)

Route 4 Box 160 Buhl, ID 83316 (Mailing Address) Telephone No. 543-4804 (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) April 1, 1950

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)
Spring tributary to Snake River

(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>0.10</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) 0.10 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(Lot 7) NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10 Twp. 9S 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.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>9S</u>	<u>15E</u>															<u>5</u>			<u>5</u>

No. of acres 5

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

SCANNED

AN 7 9 2002

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:

RECEIVED

(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.

Sworn to before me this 23rd day of July, 1980.

[Signature]
(Claimant)
Loren O. Halmer
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>LH</u>	Date <u>7-23-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>7-23-80</u>		claimant by:	
30- \$20.00 fee received by <u>LH</u>	Date <u>7-23-80</u> # <u>16518</u>			
Published in <u>Twin Falls News</u>				
Dates <u>8/7</u> + <u>8/14/80</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 26, 1980

LYLE KING
RT. 4 BOX 160
EUHL

ID 83316

RE: Claim No. 47-4172

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.

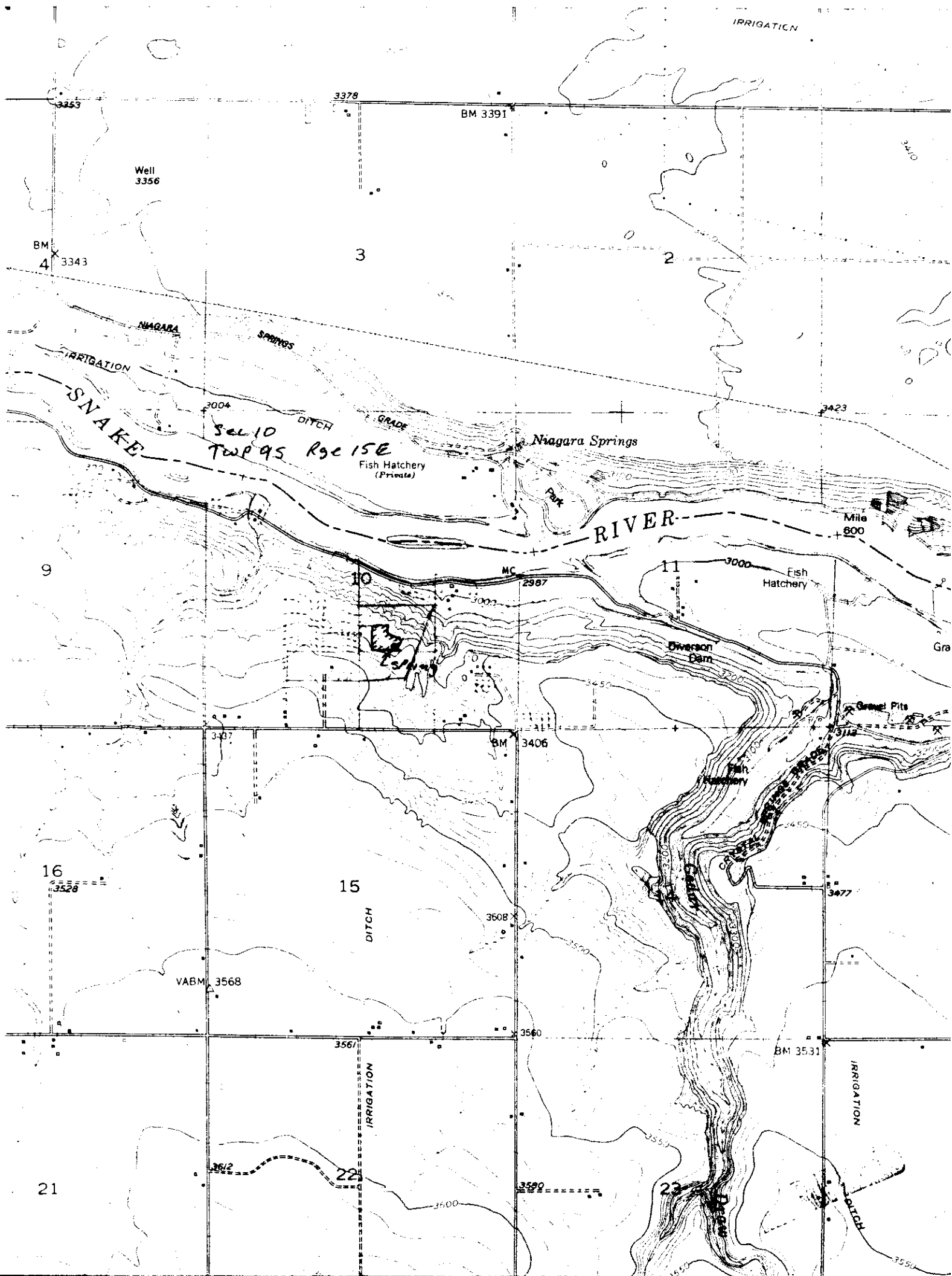
We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED



Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 9562

I, Linda Capps McHuie being first duly sworn upon oath, depose and say that I am Bruce Clark 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 August 7, 1980, and ending with the issue dated August 14, 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 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

Linda Capps McHuie
August, 1980.

15 day of

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

MICROFILMED



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326

TWIN FALLS, IDAHO, 83301



August 12, 1980

RECEIVED

AUG 14 1980

Department of Water Resources
Southern District Office

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

RE: App. for Permit No. 47-4172
Name: King, Lyle

Gentlemen:

The Twin Falls Canal Company after researching filed water right permit has concluded that water sought to be appropriated is waste water, which would accrue below the Company's last delivery. However, we are advised that many others hold prior rights to this waste water and of course the holder has a right to cease wasting water.

The Canal Company will continue to make deliveries to their shareholders to the extent possible, but makes no effort to put additional water in the ditches so as to insure that waste water would be available for permits such as this one.

Respectfully Submitted,

C.W. Travis
General Manager

CWT:brw

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:

42-4172-

KING, LYLE

RT. 4 BOX 160, BUHL, ID 83316

Source: SPRING tributary to SNAKE RIVER

Priority Date: 04/01/1950

Amount: 0.10 CFS

Diversion Point: LOT 07 (NWSE) Sec 10 T 09S R 15E, TWIN FALLS Co.

Use: IRRIGATION (0.10 CFS) from 03/15 to 11/15

Place of Use: LOT 07 (NWSE) Sec 10 T 09S R 15E FOR 5 ACRES

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.

C. STEPHEN ALLRED

Director

Published 8/07 & 8/14.

RECEIVED
AUG 14 1950
TWIN FALLS, IDAHO

47-4172

KING, LYLE
RT. 4 BOX 180, BUHL, ID
83318

Source: SPRING tributary to
SNAKE RIVER

Priority Date: 04/01/1950
Amount: 0.10 CFS

Diversion Point: LOT 07
(NWSE) Sec 10 T 09S R
15E, TWIN FALLS Co.

Use: IRRIGATION (0.10 CFS)
from 3/15 to 11/15

Place of Use: LOT 07
(NWSE) Sec 10 T 09S R
15 E FOR 5 ACRES

Diversion Means: DITCH

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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

PUBLISH: Thursday, Aug. 7,
and 14, 1980.

*10/10/80
mays*

47-4172

KING, LYLE
RT. 4 BOX 180, BUHL, ID
83318

Source: SPRING tributary to
SNAKE RIVER

Priority Date: 04/01/1950
Amount: 0.10 CFS

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(NWSE) Sec 10 T 09S R
15E, TWIN FALLS Co.

Use: IRRIGATION (0.10 CFS)
from 3/15 to 11/15

Place of Use: LOT 07
(NWSE) Sec 10 T 09S R
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Idaho Department of Water
Resources, 1041 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301.

C. STEPHEN ALLRED

Director

PUBLISH: Thursday, Aug. 7,
and 14, 1980.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY 25, 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 AUGUST 25, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

100-100000-100000