

47-4167
HOLESENSKY, FRANK J.
&/or BARBARA
RT. 4, BUHL, ID 83316
Source: UNNAMED
STREAM tributary to
SILO CREEK
Priority Date: 03/15/1929
Amount: 1.60 CFS
Diversion Point: NENE Sec
13 T 09S R 14E, TWIN
FALLS Co.
Use: IRRIGATION (1.60 CFS)
from 03/15 to 11/15
STOCKWATER (0.02 CFS)
from 01/01 to 12/31
Place of Use: SWSE Sec 12 T
09S R 14E NENE Sec 13 T
09S R 14E FOR 46 ACRES
Diversion Means: EARTHEN
CHECK DAM DELIVERING
TO AN EARTHEN DITCH &
A GATED PIPE
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, July 27
and 24. 1980.

Affidavit of Publication

Nº 9501

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

July 17, 1980, and ending with the issue dated
July 24, 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.

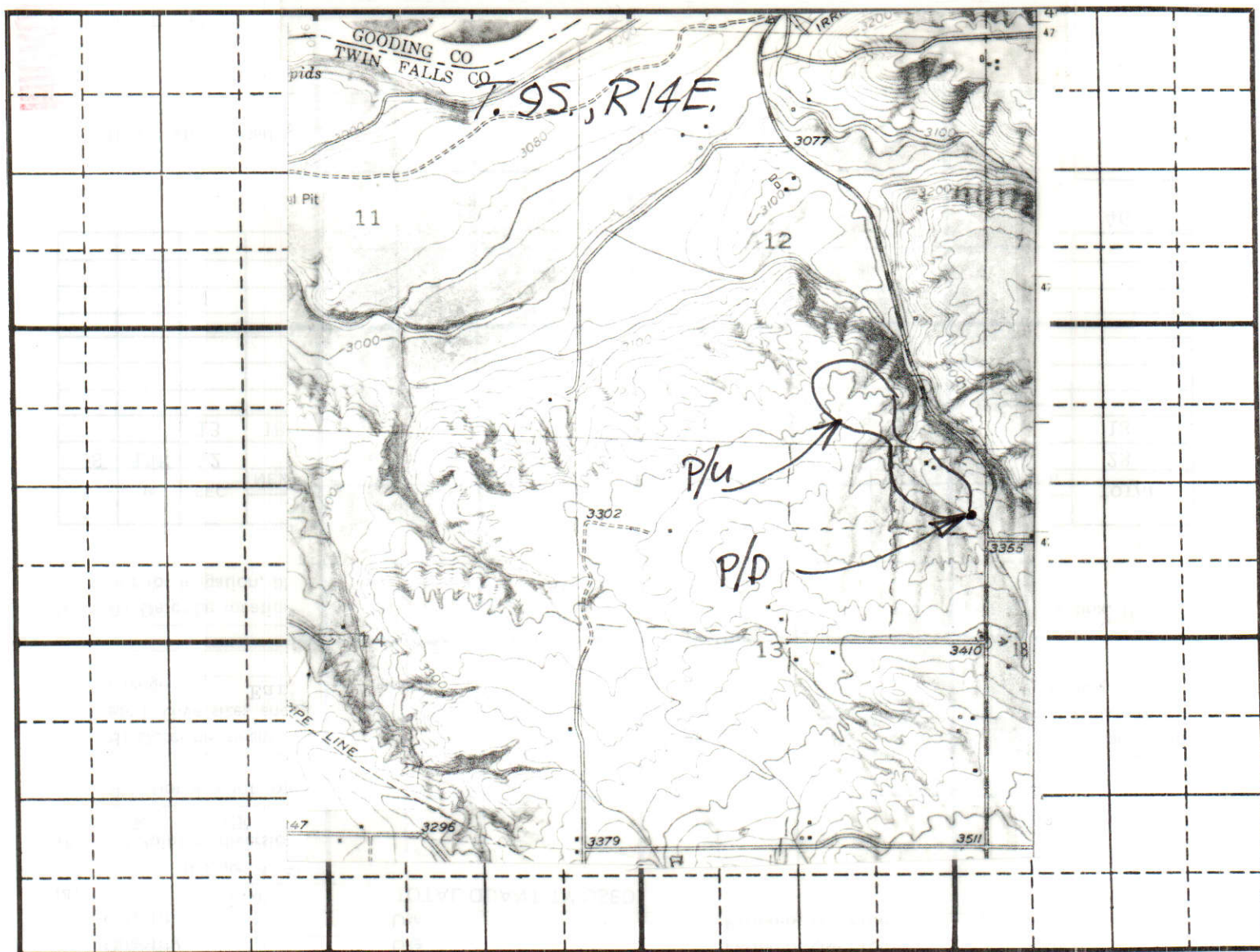
Subscribed and sworn to before me on this

24 day of

July, 1980
Thelva R. Roubellat
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

JUL 29 1980
Department of Water Resources
Southern District Office

(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.

Barbara J. Notomisty
(Claimant)

Sworn to before me this 9 day of July, 19 80.

Mary A. Hill
Notary Public
Residing at Twin Falls, id 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by ADM Date 7/9/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by go Date 7/10/80 claimant by: _____
\$20.00 fee received by maria Date 7/9/80 16498
Published in Times News _____
Dates 7/14 + 7/24/80 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 12, 1980

FRANK J. HOLESSESKY
BARBARA HOLESSESKY
RT. 4
BUHL

ID 83316

RE: Claim No. 47-4167

Dear Claimant:

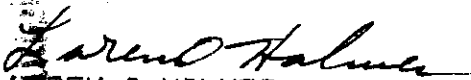
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

JAN 29 2002

Affidavit of Publication

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

Nº 9501

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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 24 day of

July, 1980.

Notary Public in and for the State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

JUL 29 1980
Department of Water Resources
Southern District Office

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

(Mailing Address)

Telephone No. 543-6945

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, 1929

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)
 Unnamed Stream tributary to Silo Cree

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
	(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	1.60	Use	Irrigation	Period of Use From March 15	To November 15
Quantity	0.02	Use	Stockwater	Period of Use From Jan. 1	To Dec. 31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 1.60 TOTAL QUANTITY USED.
(cfs. gpd. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13 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. Earthen check dam delivering to an earthen ditch and a gated pipe.

(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.

[illegible]

46

No. of acres

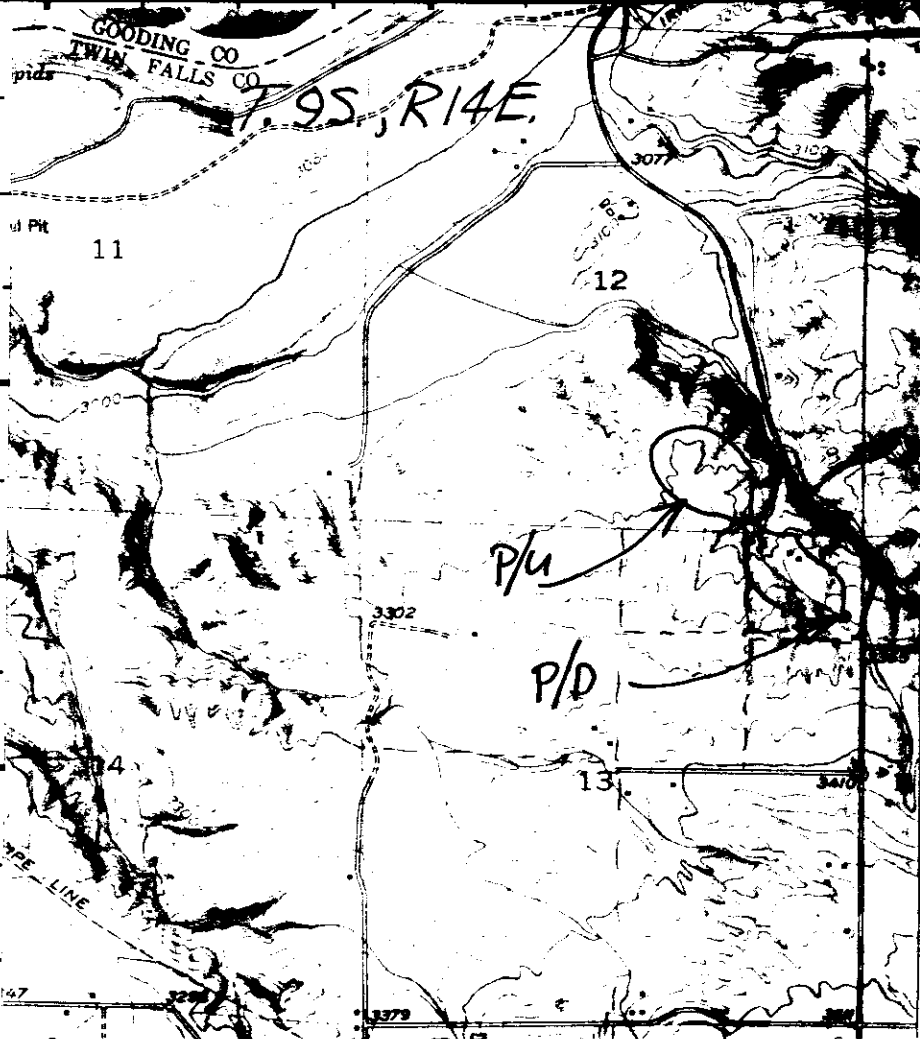
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 35 head of range cattle

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

MICRO LIFE

(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.

Barbara J. Voluntary
(Claimant)
1980

Sworn to before me this 9 day of October, 19 80

Notary Public
Residing at Morris Jella, id P3301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by ADM Date 7/9/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by go Date 9-10-80 claimant by: _____
\$20.00 fee received by anaga Date 7/9/80 16498
Published in Times News _____
Dates 7/14 + 7/24/80 _____

30.00



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326

TWIN FALLS, IDAHO, 83301



July 28, 1980

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

RE: App. for Permit No. 47-4167
Name: Holesinsky, Frank J. &/or Barbara

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

SCANNED

JAN 29 2002

DISPOSABLE

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:

47-4167

HOLESENSKY, FRANK J. &/or BARBARA

RT. 4, BUHL, ID 83316

Source: UNNAMED STREAM tributary to SILO CREEK

Priority Date: 03/15/1929

Amount: 1.60 CFS

Diversion Point: NENE Sec 13 T 09S R 14E, TWIN FALLS Co.

Use: IRRIGATION	(1.60 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SWSE Sec 12 T 09S R 14E NENE Sec 13 T 09S R 14E
FOR 46 ACRES

Diversion Means: EARTHEN CHECK DAM DELIVERING TO AN EARTHEN DITCH & A GATED PIPE.

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 7/17 & 7/24.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY 10, 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 AUGUST 4, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED