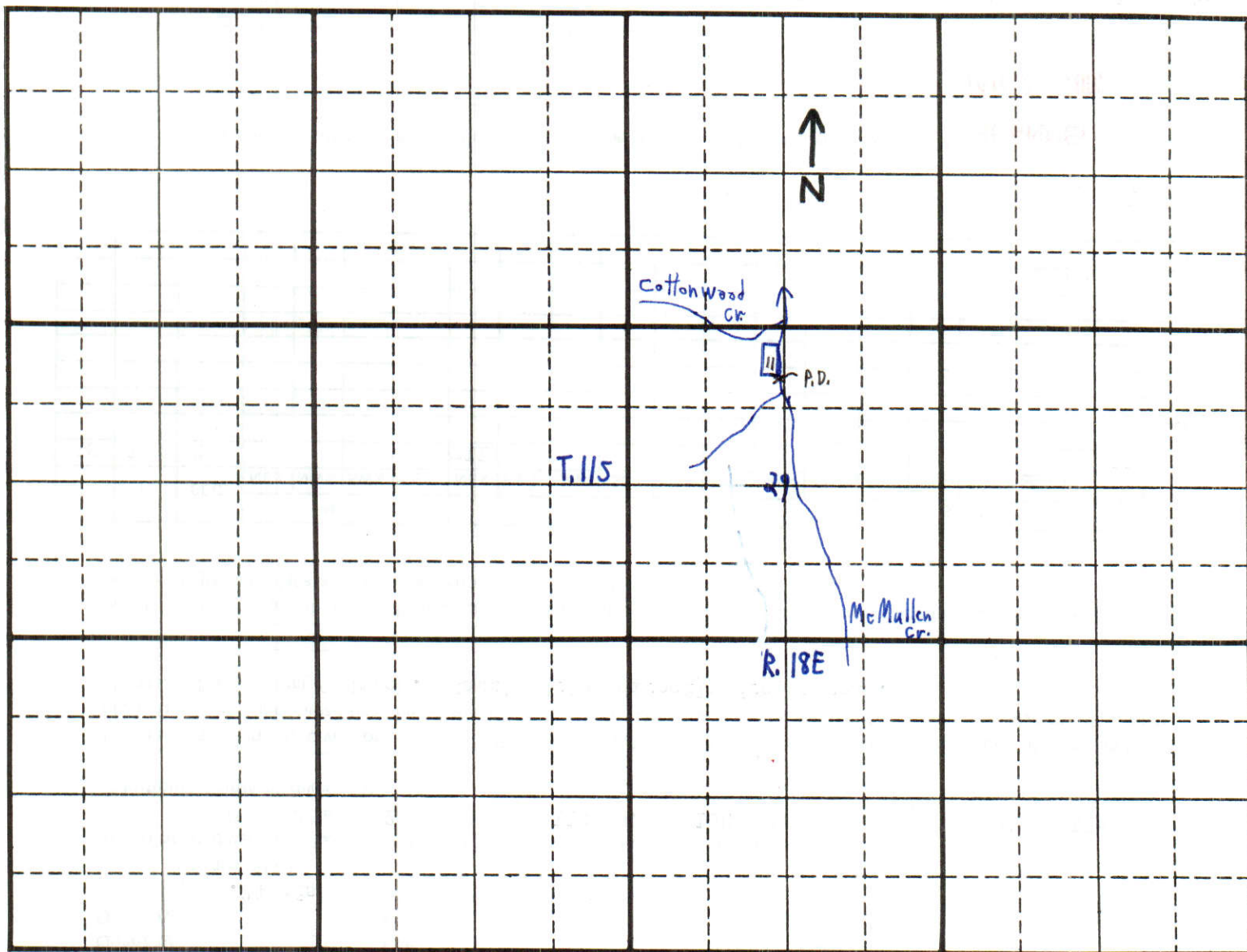


(8) Remarks _____



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.

Charles Woodland
(Claimant)

Sworn to before me this 18th day of April, 1980.

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

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J.E. Stanton Date 4-18-80 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by Adm Date 4-21-80
\$20.00 fee received by Mary A. Hill Date #16405 4/8/80
Published in Times News
Dates 5/1 + 5/8/80

**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:

47-4161
SILVERS, JOHN W.
P.O. BOX 41, MURTAUGH,
ID 83344

Source: WASTEWATER
tributary to TWIN FALLS
CANAL

Priority Date: 04/01/1962

Amount: 0.76 CFS

Diversion Point: SWSE Sec
06 T 11S R 20E, TWIN
FALLS Co.

Use: IRRIGATION (0.76 CFS)
from 04/01 to 10/31

Place of Use: SWSE Sec 06 T
11S R 20E FOR 38 ACRES

Diversion Means: DIVER-
SION DAM

47-4162
WOODLAND, CHARLES
RT 2, FILER, ID 83328

Source: MC MULLEN
CREEK tributary to COT-
TONWOOD CREEK

Priority Date: 01/01/1936

Amount: 0.24 CFS

Diversion Point: NENW Sec
29 T 11S R 18E, TWIN
FALLS Co.

Use: IRRIGATION (0.22 CFS)

from 03/15 to 11/15
STOCKWATER (0.02 CFS)
from 01/01 to 12/31

Place of Use: NENW Sec 29
T 11S R 18E FOR 11 ACRES

Diversion Means: CHECK
DAM & 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, May 1,
and 8, 1980.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 9280

I, Linda Capps McGuire being first duly sworn upon
oath, depose and say that I am Quinn 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
May 1, 1980, and ending with the issue dated
May 8, 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 McGuire
Subscribed and sworn to before me on this 12 day of

May

1980

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

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 Charles Woodland

(Name of Claimant)

Route #2, Filer, Idaho 83328

(Mailing Address)

Telephone No. 326-4416

(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) 1936

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)
McMullen Creek tributary to Cottonwood 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	0.22 cfs	Use	irrigation	Period of Use From	Mar 15 To Nov 15
Quantity	0.02 cfs	Use	livestock	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) 0.24 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 29 Twp. 11S Rge. 18E 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. Cattle drink directly from stream.

(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	
11S	18E	29					X11												11

No. of acres 11

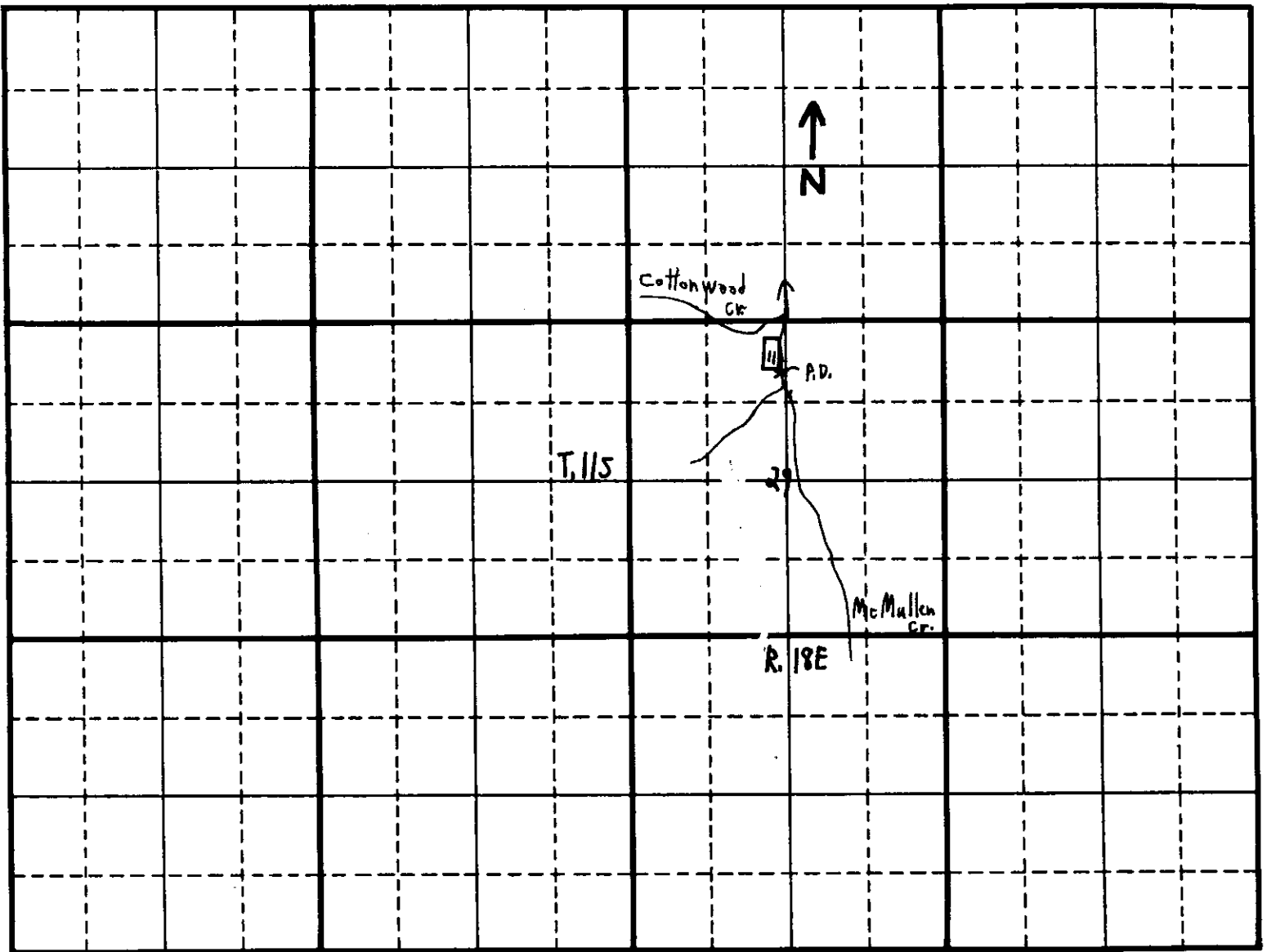
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: SCANNED
JAN 29 2002

NOTE: Include here the type and number of stock watered: 40 head of range cows; will be replaced by

(7) If you are claiming water as a member of an organization, list name of organization: maximum of 10 horses in the future.



(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.

Charles Woodland
(Claimant)

Sworn to before me this 18th day of April, 1980.

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

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J.E. Stanton Date 4-19-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Adm Date 4-21-80 claimant by: _____
\$20.00 fee received by Mary A. Hill Date 4/21/80
Published in Times-News
Dates 5/1 + 5/18/80

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 9280

I, Linda Capps McBuie being first duly sworn upon oath, depose and say that I am Bernie 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 May 1, 1980, and ending with the issue dated May 8, 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.

Linda Capps McBuie
Subscribed and sworn to before me on this 12 day of

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

25
JANUARY 1980



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

May 21, 1980

Charles Woodland
Route 2
Filer, Idaho 83328

Re: Claim to a Water Right No. 47-4162

Dear Mr. Woodland:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right, submitted by John Rosholt in behalf of Twin Falls Canal Company. The following is a quote from the provisions under which this claim has been filed (section 42-225b, of the Idaho Code):

42-225b. Recording of claims by Department ---Corrections-----

At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

May 21, 1980

Mr. John A. Rosholt
Attorney at Law
P. O. Box 1906
Twin Falls, Idaho 83301

Re: Claim to a Water Right No. 47-4162

Dear Mr. Rosholt:

We are in receipt of your exception to a Claim to a Water Right filed by you in behalf of Twin Falls Canal Company. The following excerpt from Section 42-243b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed:

42-243b. Recording of claims by Department, Corrections
"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya
Encl:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 20, 1980

CHARLES WOODLAND
RT 2
FILER

ID 83328

RE: Claim No. 47-4162

Dear Claimant:

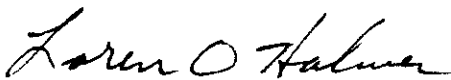
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

RECEIVED

MAY 16 1980

Department of Water Resources
Southern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

* * * * *

IN THE MATTER OF CLAIM TO)
WATER RIGHT NO. 47-4162) EXCEPTION OF TWIN FALLS
CHARLES WOODLAND.) CANAL COMPANY TO CLAIM TO
A WATER RIGHT

* * * * *

COMES NOW, attorneys for the Twin Falls Canal Company, and makes the following exceptions to Claim No. 47-4162:

1. The Twin Falls Canal Company has a prior right to the flows of McMullen Creek that are not diverted under priorities of others which are senior to the Twin Falls Canal Company. Such flows go into the High Line Canal of the Company and are used to supplement waters available for delivery to stockholders and have been so picked up and delivered since the construction of the Twin Falls system some 75 years ago.

2. Waters will not be available for Claimant's proposed use of irrigation and stock water except during flood stage when all existing rights on McMullen Creek are being filled and more water is available than can be picked up in the Twin Falls Canal.

WHEREFORE, the Twin Falls Canal Company asks that this exception be placed in the file of the Department of Water Resources in opposition to Claim No. 47-5162 of Charles Woodland.

DATED this 15 day of May, 1980.

NELSON, ROSHOLT, ROBERTSON,
WALKER, TOLMAN & TUCKER

By: John A. Rosholt
John A. Rosholt
Attorneys for Twin Falls
Canal Company

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:

47-4162-

WOODLAND, CHARLES

RT 2, FILER, ID 83328

Source: MC MULLEN CREEK tributary to COTTONWOOD CREEK

Priority Date: 01/01/1936

Amount: 0.24 CFS

Diversion Point: NENW Sec 29 T 11S R 18E, TWIN FALLS Co.

Use: IRRIGATION	(0.22 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NENW Sec 29 T 11S R 18E FOR 11 ACRES

Diversion Means: CHECK DAM & 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 5/1 + 5/8/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 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.

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 MAY 19, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

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