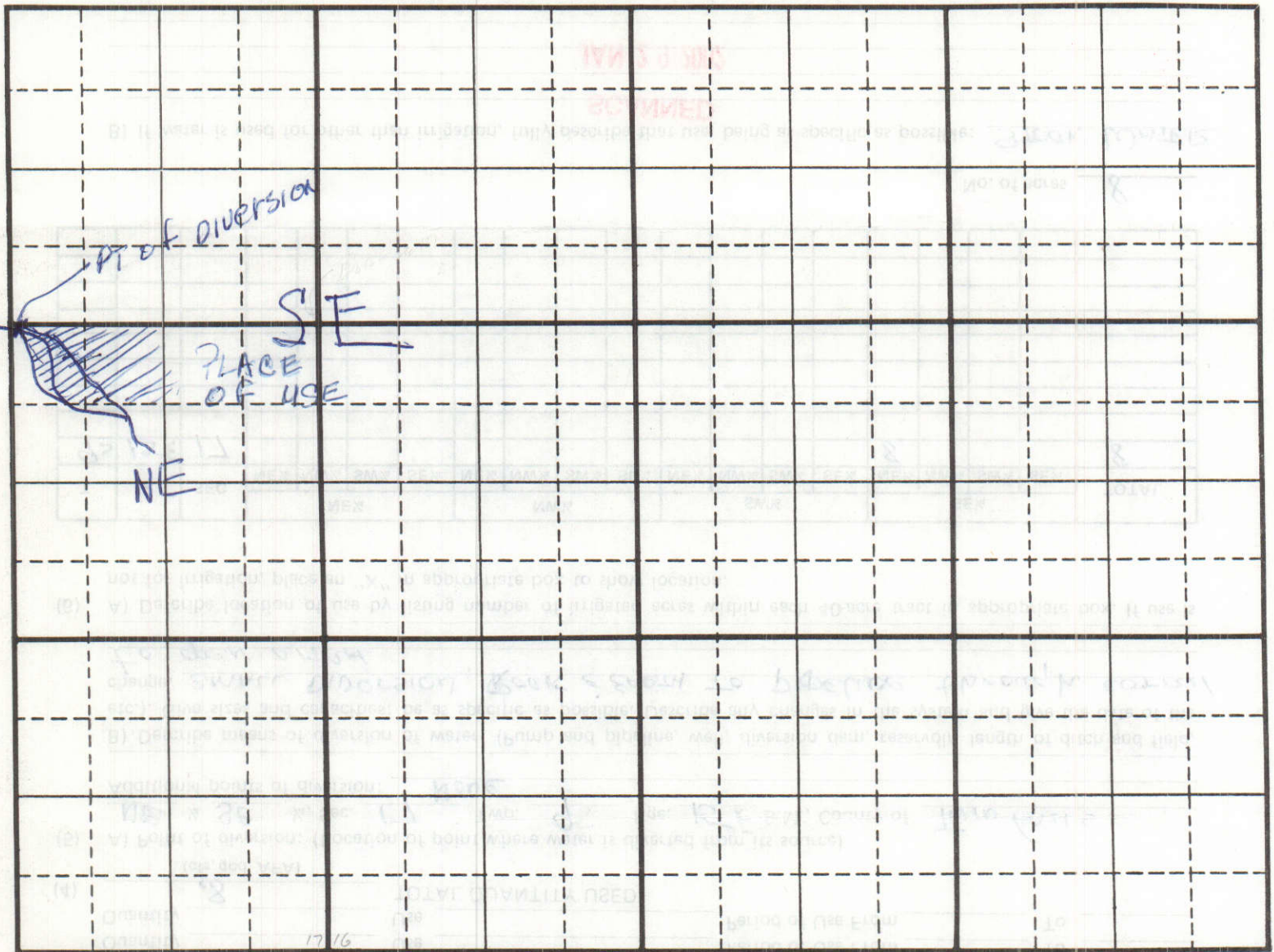


(8) Remarks _____



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 TWID LAWS)

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.

Mayme Mcnelly Ruffing
(Claimant)

Sworn to before me this 3d day of MARCH, 1980.

Notary Public

Residing at Buhl, Idaho

My commission expires Sept 1985

FOR DEPARTMENT USE ONLY

Received by LA

Date 3-4-80

Exception filed by:

Forwarded to

Date

Prelim. check by Klein

Date

3-4-80

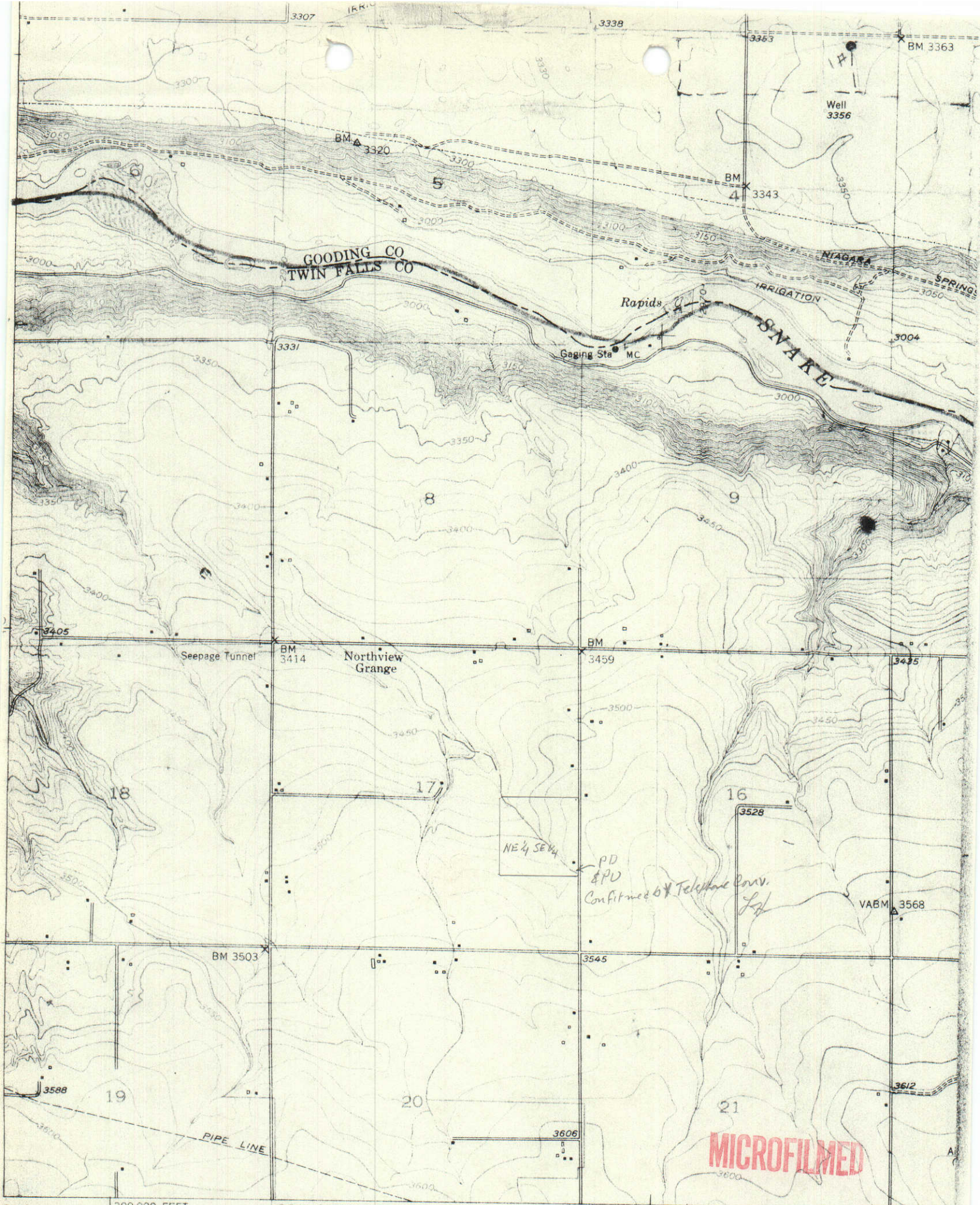
claimant by:

\$20.00 fee received by Klein

Date

Published in Idaho News

Dates 4/3 & 4/10/80



47-4154 MAYME
RUFFING,
MCNELLY
336 5TH AVE. E., TWIN
FALLS, ID 83301
Source: SPRING tributary to
TWIN FALLS CANAL CO.
COULEE
WASTE WATER tributary
to TWIN FALLS CANAL
CO. COULEE

Priority Date: 01/01/1925
Amount: 0.80 CFS
Diversion Point: NESE Sec
17 T 09S R 15E, TWIN
FALLS Co.

Use: IRRIGATION (0.80 CFS)
from 04/01 to 09/30
STOCKWATER (0.20 CFS)
from 01/01 to 12/31

Place of Use: NESE Sec 17 T
09S R 15E FOR 8 ACRES

Diversion Means: CHECK,
PIPELINE & 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 Thursday, Apr. 3,
and 10, 1980.

Affidavit of Publication

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

No 9197

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

April 3, 1980, and ending with the issue dated
April 10, 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 16 day of

April, 1980

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

RECEIVED

RECEIVED

APR 21 1980

Department of Water Resources
Southern District Office

7/78
RECEIVED
 MAR 4 1980

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources
 Southern District Office

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 Wayne McDelly Ruffus

(Name of Claimant)

336 5th Ave. E., Twin Falls, Idaho

(Mailing Address)

Telephone No. 733-5231

(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) 1925

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 spring & waste ditch tributary to TF Canal Course

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.8</u>		Use <u>IRRIGATION</u>		Period of Use From <u>Apr. 1</u>	To <u>Sept 30</u>
Quantity <u>.2</u>		Use <u>STOCK</u>		Period of Use From <u>JAN 1</u>	To <u>Dec. 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) .8 TOTAL QUANTITY USED.
 (cfs, gpd, AFA)

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

NE 1/4 SE 1/4, Sec. 17 Twp. 9S Rge. 15E B.M., County of TWIN FALLS
 Additional points of diversion: None

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. SMALL DIVERSION, ROCK & EARTH TO PIPELINE THROUGH CORRAL TO OPEN 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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
9S	15E	17													8				8

No. of acres 8

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

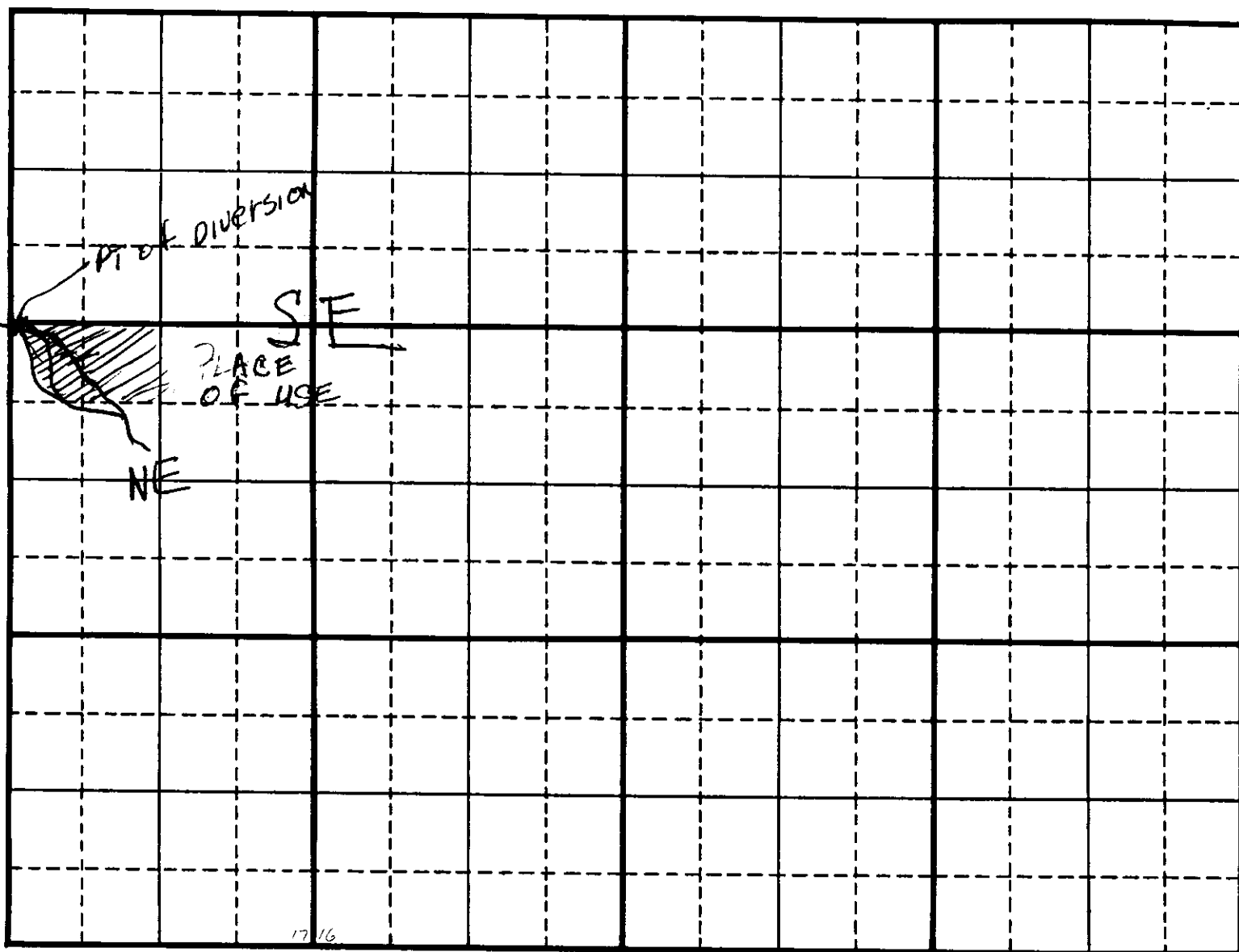
IAN 29 2002

NOTE: Include here the type and number of stock watered: CATTLE & horses less than 50

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

MICROFILM

(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 Twins 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 3d day of MARCH

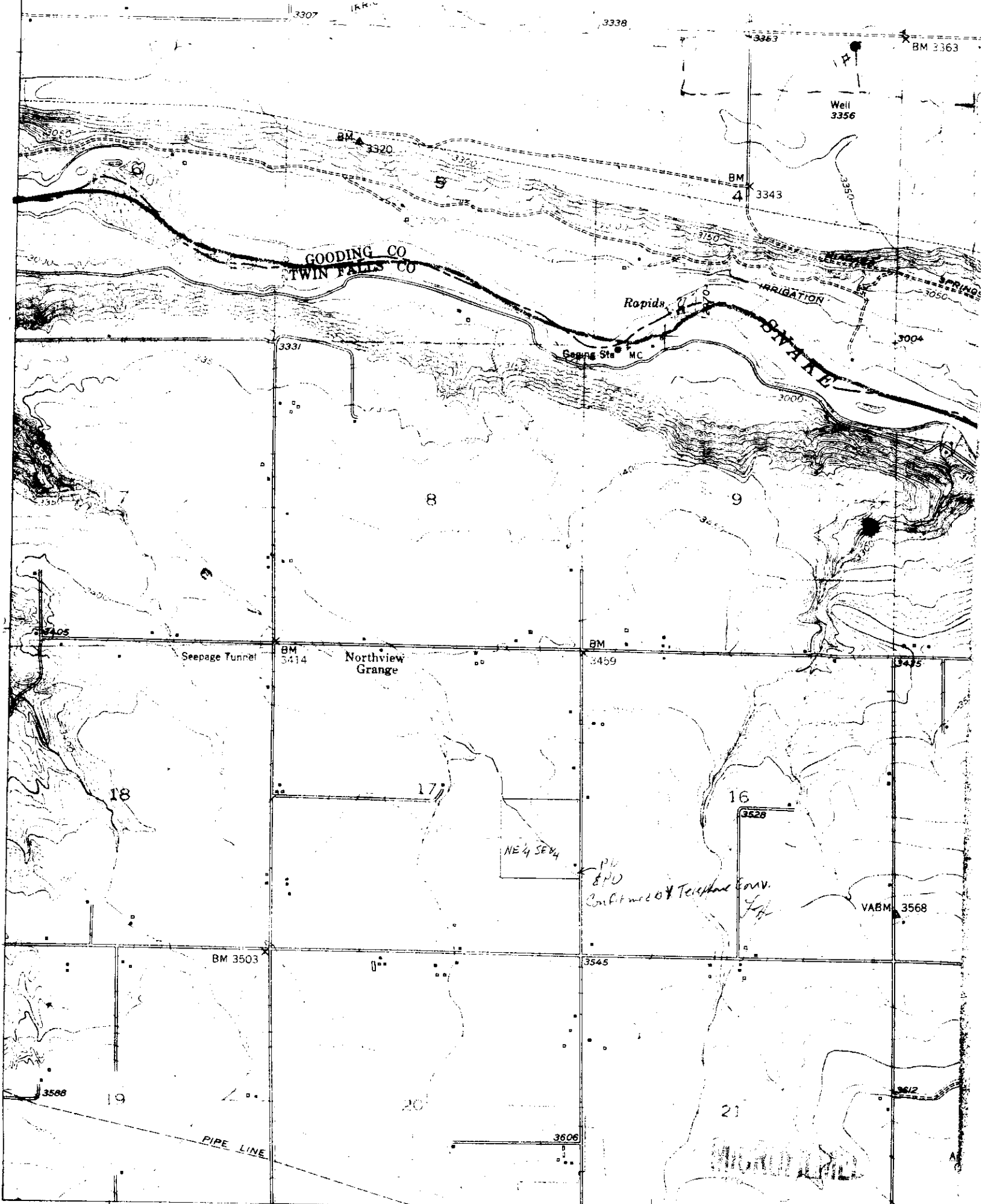
Maryne McTilly Ruffing
(Claimant)
19 80

Robert C. Weaver
Notary Public
Residing at Buhl, Idaho

My commission expires Sept 1985

FOR DEPARTMENT USE ONLY

Received by <u>LD</u>	Date <u>3-4-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LD</u>	Date <u>3-4-80</u>		claimant by:	
\$20.00 fee received by <u>LD</u>	Date <u>3-4-80</u>			
Published in <u>LD</u>				
Dates <u>4/3 & 4/10/80</u>				



Affidavit of Publication

No 9197

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McBue 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

April 3, 1980, and ending with the issue dated
April 10, 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 McBue
Subscribed and sworn to before me on this 16 day of

April, 1980.

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

April 28, 1980

RECEIVED

MAY 1 1980

This is a protest to claim
no 47-4154.

My claim was filed on
Dec 9, 1974 for 2 cubic feet per
second for irrigation water for
my 350 acre farm.

The reason I protest their
claim is because I don't believe
they have received the water they
have filed on in the 6 years I
have lived ~~in~~ in Idaho, also
they only have 8 acres to irrigate
and it is not feasible to allow them
to obtain an additional water right.

The filing date is ~~not~~ not proved
to be valid as no one ~~is~~ is here
now to prove it.

RECEIVED

MAY 5 1980

Department of Water Resources
Southern District Office

James C. Carlson
Rural Route 4
Buhl, Idaho

Subscribed and sworn before me this 28th Day of April 1980

Earl Barnes, Notary for Idaho



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

April 28, 1980

James E. Paulson
Route 4
Buhl, Idaho 83316

Re: Claim to a Water Right No. 47-4154

Dear Mr. Paulson:

We are in receipt of your exception to a Claim to a Water Right. The following excerpt from Sec. 42-244b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed:

42-244b. 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



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

April 28, 1980

Mayme McNelly Ruffing
336 5th Ave. East
Twin Falls, Idaho 83301

Re: Claim to a Water Right No. 47-4154

Dear Mrs. Ruffing:

We are enclosing a copy of an affidavit in opposition to your claim to a water right submitted by James E. Paulson. The following is a quote from the provisions under which this claim has been filed (Sec. 42-244b, Idaho Code):

42-244b. Recording of claim 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 22, 1980

MAYME MCNELLY RUFFING
336 5TH AVE. E.
TWIN FALLS

ID 83301

RE: Claim No. 47-4154

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

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AFFIDAVIT

STATE OF IDAHO)
County of Twin Falls) ss.

I, MAYME MCNELLY RUFFING, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from 1925 when water was collected in diversion pipeline and open ditch in a northwesterly direction to the above described lands, and know to my own knowledge that these waters were applied to beneficial use on the above described premises, and that .8 cubic feet per second of water was used on the above described premises beneficially to irrigate and water livestock on said lands from 1925 continually to date.

That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

Mayme McNelly Ruffing
SUBSCRIBED and SWORN to before me this 28th day of

February, 1980.

Robert E. Weaver
Notary Public for Idaho
Residing at Buhl, Idaho

AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Twin Falls)

I, MAYME MCNELLY RUFFING, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

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That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

/s/ Mayme McNelly Ruffing

SUBSCRIBED and SWORN to before me this 28th day of February, 1980.

/s/ Robert C. Weaver
Notary Public for Idaho
Residing at Buhl, Idaho

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

I, MAYME MCNELLY RUFFING, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from 1925 when water was collected in diversion pipeline and open ditch in a northwesterly direction to the above described lands, and know to my own knowledge that these waters were applied to beneficial use on the above described premises, and that .8 cubic feet per second of water was used on the above described premises beneficially to irrigate and water livestock on said lands from 1925 continually to date.

That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

/s/ Mayme McNelly Ruffing

SUBSCRIBED and SWORN to before me this 28th day of February, 1980.

/s/ Robert C. Weaver
Notary Public for Idaho
Residing at Buhl, Idaho

RECEIVED

AFFIDAVIT

STATE OF IDAHO)
County of Twin Falls) ss.

I, ALVIE L. JOHNSON, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from May, 1968, when water was collected in diversion pipeline and open ditch in a northwesterly direction to the above described lands, and know to my own knowledge that these waters were applied to beneficial use on the above described premises, and that .8 cubic feet per second of water was used on the above described premises beneficially to irrigate and water livestock on said lands from 1968 continually to date.

That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

SUBSCRIBED and SWORN to before me this 25th day of

February, 1980.

[Signature]
Notary Public for Idaho
Residing at Buhl, Idaho

RECEIVED

AFFIDAVIT

STATE OF IDAHO)
County of Twin Falls) ss.

I, ALVIE L. JOHNSON, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from May, 1968, when water was collected in diversion pipeline and open ditch in a northwesterly direction to the above described lands, and know to my own knowledge that these waters were applied to beneficial use on the above described premises, and that .8 cubic feet per second of water was used on the above described premises beneficially to irrigate and water livestock on said lands from 1968 continually to date.

That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

/s/ Alvie L. Johnson

SUBSCRIBED and SWORN to before me this 28th day of February, 1980.

/s/ Robert C. Weaver
Notary Public for Idaho
Residing at Buhl, Idaho

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

I, ALVIE L. JOHNSON, of Buhl, County of Twin Falls, State of Idaho, being first duly sworn do depose and say as follows:

That I am familiar with that certain portion of land situated in Section 17, Township 9, South, Range 15, E.B.M., Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from May, 1968, when water was collected in diversion pipeline and open ditch in a northwesterly direction to the above described lands, and know to my own knowledge that these waters were applied to beneficial use on the above described premises, and that .8 cubic feet per second of water was used on the above described premises beneficially to irrigate and water livestock on said lands from 1968 continually to date.

That the water source in the diversion ditches is from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

~~/s/ Alvie L. Johnson~~

SUBSCRIBED and SWORN to before me this 28th day of February, 1980.

~~/s/ Robert C. Weaver~~
Notary Public for Idaho
Residing at Buhl, Idaho

WEAVER & DYKAS

Attorneys at Law

130 N. BROADWAY

BUHL, IDAHO 83316

ROBERT C. WEAVER

FRANK J. DYKAS

REGISTERED PATENT
TRADEMARK ATTORNEY

007 2-1-0

PHONE (208) 543-8268

October 15, 1980

Department of Water Resources

01 21 1980

Department of Water Resources
Southern District Office

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

Re: Claim to a Water Right

41-4154

Gentlemen:

Please find enclosed Jim Shriver's Affidavit
in support of the Claim to a Water Right filed by
MAYME MCNELLY RUFFING.

Would you please cause this Affidavit to be filed
in this matter.

Sincerely yours,



ROBERT C. WEAVER

RCW:sh

Enc.

SCANNED
JAN 28 2002

RECEIVED
OCT 21 1980
Department of Water Resources
Southern District Office

AFFIDAVIT

STATE OF IDAHO)
County of Twin Falls) ss.

I, JIM SHRIVER, of Buhl, County of Twin Falls,
State of Idaho, being first duly sworn do depose and say as
follows:

That I am familiar with that certain portion of land
situated in Section 17, Township 9 South, Range 15, E.B.M.,
Twin Falls County, Idaho, and described more particularly as
follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from 1978
when water was collected in diversion pipeline and open ditch
in a northwesterly direction to the above described lands, and
know to my own knowledge that these waters were applied to
beneficial use on the above described premises, and that .8 cubic
feet per second of water was used on the above described premises
beneficially to irrigate and water livestock on said lands from
1978 continually to date.

That the water source in the diversion ditches is from
unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17,
Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

James W. Shriver
JIM SHRIVER

SUBSCRIBED and SWORN to before me this 13th day of
October, 1980.

Shirley Hudson
Notary Public for Idaho
Residing at Buhl, Idaho

file

RECEIVED

JUN 1 1982

Department of Water Resources
Southern District Office

336 Fifth Avenue East
Twin Falls, Idaho

June 1, 1982

State of Idaho
Department of Water Resources
Southern Region Office
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Claim to a Water Right No. 47-4154
To protest the protest submitted by James E. Paulson

Gentlemen:

The legal description of this property from the tax records in Twin Falls County, Twin Falls, Idaho, is as follows: Sec 17 T 9 R 15 S 10A NE of Coulee NE SE. This indicates that the water I have filed on has run there since early in the history of this tract. My father, Charles E. McNelly, purchased that land on August 6, 1909. (Filed August 24, 1909, 4:30 P.M. Recorded in Book 11 Deeds, Page 296.)

I, Mayme L. McNelly Ruffing, was born there on November 2, 1917. To my knowledge that water was always running through that area. My father located his corral in the corner of the property where the water enters so there was water for the stock winter or summer and, if for any reason there was no water in the ditch, he would follow the water source until he located the cause of it not being available and would have it running again as soon as possible. That water was definitely there during all of the six years Mr. Paulson claims that it was not, as well as before and after.

Mr. Paulson states: "The filing date is not proved to be valid as no one is here now to prove it." That is a completely false statement as the affidavits I have filed prove. Both Mr. Johnson and Mr. Shriver rented the land and used that water for stock as well as irrigation through the six years Mr. Paulson speaks of.

I remember carrying water from that ditch for household use many times through the years, including my childhood, when the well was not in use for one reason or another.

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this first day of June, 1982,
before me, a notary public in and for said State, personally appeared

MAYME MC NELLY RUFFING

Very truly yours,
Mayme McNelly Ruffing
Mayme McNelly Ruffing
336 Fifth Avenue East
Twin Falls, Idaho 83301

mmr

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Heleen McCallie
Notary Public

Residing at Twin Falls, Idaho
Comm. Expires 6-14-84

WEAVER & DYKAS

Attorneys at Law

130 N. BROADWAY
BUHL, IDAHO 83316

ROBERT C. WEAVER

FRANK J. DYKAS
REGISTERED PATENT
TRADEMARK ATTORNEY

47-4154
PHONE (208) 543-8268

March 18, 1981

RECEIVED
MAR 23 1981
Department of Water Resources

RECEIVED
MAR 20 1981

Department of Water Resources
Southern District Office

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

RE: Claim to a Water Right

Gentlemen:

Please find enclosed B. J. Ruffing's Affidavit
in support of the Claim to Water Right filed by
MAYME MCNELLY RUFFING.

Would you please cause this Affidavit to be
filed in this matter.

Sincerely yours,



ROBERT C. WEAVER

RCW/jms

Enc.

RECEIVED

MAR 20 1981

Department of Water Resources
Southern District Office

AFFIDAVIT

STATE OF IDAHO

County of Twin Falls

ss.

I, B. J. Ruffing, of Twin Falls,

County of Twin Falls, State of Idaho, being first duly sworn do depose
and say as follows:

That I am familiar with that certain portion of land
situated in Section 17, Township 9 South, Range 15, E.B.M.,
Twin Falls County, Idaho, and described more particularly as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ situated NE of an unnamed drainage

That I was present, on many occasions from 1939
when water was collected in diversion pipeline and open ditch
in a northwesterly direction to the above described lands, and
know to my own knowledge that these waters were applied to
beneficial use on the above described premises, and that .8 cubic
feet per second of water was used on the above described premises
beneficially to irrigate and water livestock on said lands from
1939 continually to date.

That the water source in the diversion ditches is
from unnamed springs and waste water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17,
Township 9 South, Range 15, EBM, Twin Falls County, Idaho.

Further your affiant saith not.

SUBSCRIBED and SWORN to before me this 18th day

of March, 1981.

Janet M. Shaw
Notary Public for Idaho
Residing at Buhl, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MARCH 20, 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 APRIL 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

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:

42-4154

RUFFING, MAYME MCNELLY

336 5TH AVE. E., TWIN FALLS, ID 83301

Source: SPRING tributary to TWIN FALLS CANAL CO. COULEE
WASTE WATER tributary to TWIN FALLS CANAL CO. COULEE

Priority Date: 01/01/1925

Amount: 0.80 CFS

Diversion Point: NESE Sec 17 T 09S R 15E, TWIN FALLS Co.

Use: IRRIGATION	(0.80 CFS)	from 04/01 to 09/30
STOCKWATER	(0.20 CFS)	from 01/01 to 12/31

Place of Use: NESE Sec 17 T 09S R 15E FOR 8 ACRES

Diversion Means: CHECK, PIPELINE & 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 4/3 & 4/10/80.

MICROFILMED

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mayme
4/3/80

47-4154

RUFFING, MAYME
MCNELLY

338 5TH AVE. E., TWIN
FALLS, ID 83301

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TWIN FALLS CANAL CO.

COULEE

WASTE WATER tributary
to TWIN FALLS CANAL
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PIPELINE & 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

Bldg. North, Twin Falls,

Idaho 83301.

C. STEPHEN ALLRED

Director

PUBLISH: Thursday, Apr. 3,

and 10, 1980.