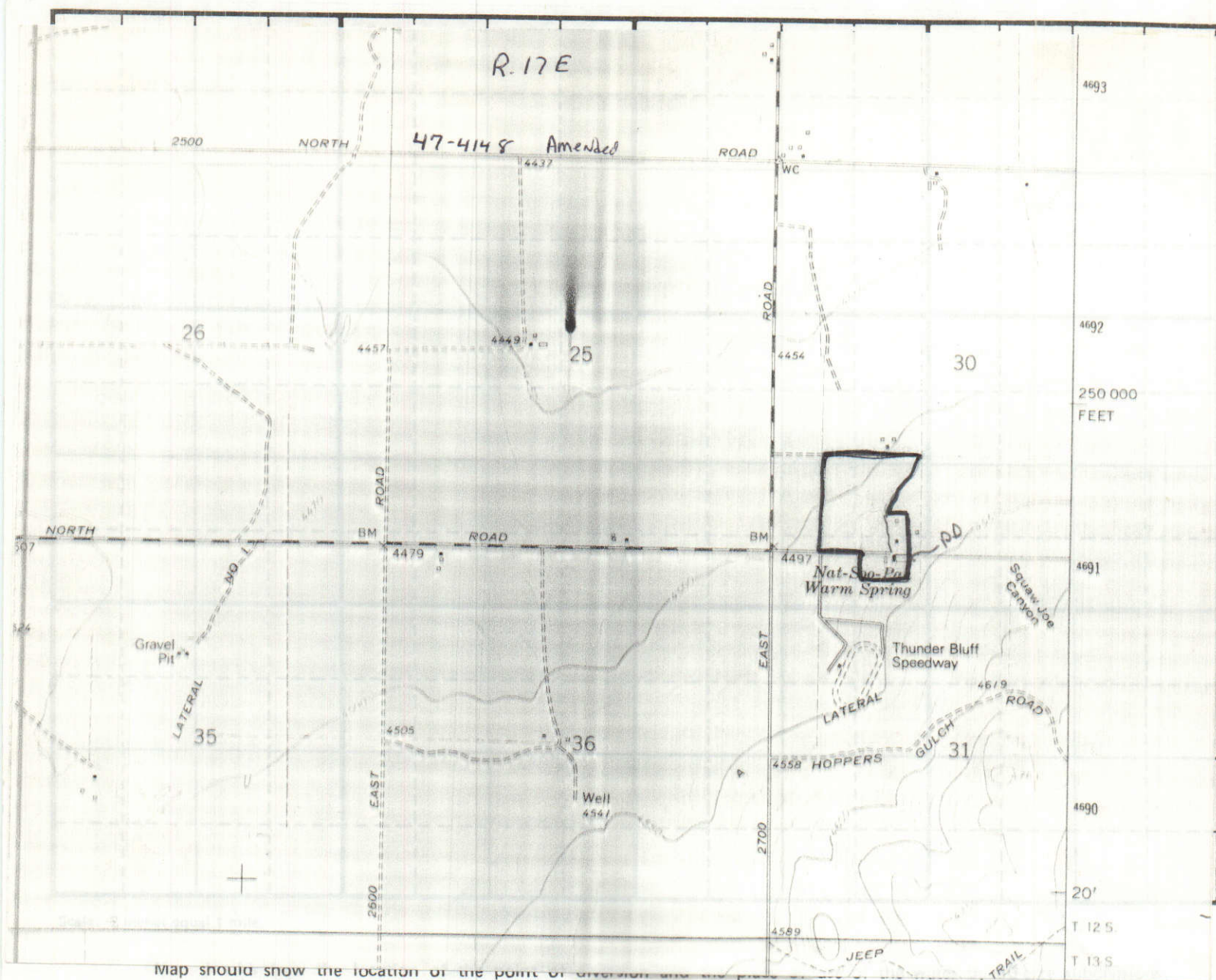


- (8) Remarks Longtime neighbors and previous owners have stated that smaller separate mens and womens pools existed prior to the construction of the present pool in about 1928. Early settlers stated that Indians were using the springs for bathing at the time of settlement.



Map should show the location of the point of diversion and the 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 28 day of January

Jerry Dwyer
(Claimant)
19 87.

Loren O. Halum

Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by T. Blau Date 1-23-87
Prelim. check by ADM Date 2/2/87
Published in Times News Date 2/19 + 2/26/87

Exception filed by: Jones Corp. Date 2/23/87
Forwarded to claimant by: MB

Amendment
no fee

NOTICE OF
AMENDED CLAIM TO
A WATER RIGHT
NO. 47-4148

Notice is hereby given
that Claim to a Water
Right No. 47-4148 in the
name of Jerry G. &/or
Nancy Duffy is hereby
amended and recorded
as follows:

Source: Nat-Soo-Pah
Spring

Priority Date:

January 1, 1926

Amount: 0.28 cfs

Diversion Point:
NENENW, Sec. 31, T
12S, R 17E., Boise Meri-
dian, Twin Falls County.

Use: Commercial
(0.28 cfs)

Irrigation (0.28 cfs)

Domestic (0.04 cfs)

Stockwater (0.12 cfs)

Place of Use: SESW,
Sec. 30, NENW, Sec. 31,
T 12S, R 17E.

Any exception to the
Amended Claim to
Water Right must be fil-
ed with the Department
of Water Resources,
2148 4th Avenue East,
Twin Falls, ID 83301.

A. KEN DUNN, Dir.

PUBLISH: Thursday,
February 19 and 26, 1987.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

RECEIVED

MAR 2 1987 No 17153

I, Belinda J. Capps, 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
February 19, 1987, and ending with the issue dated
February 26, 1987.

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.

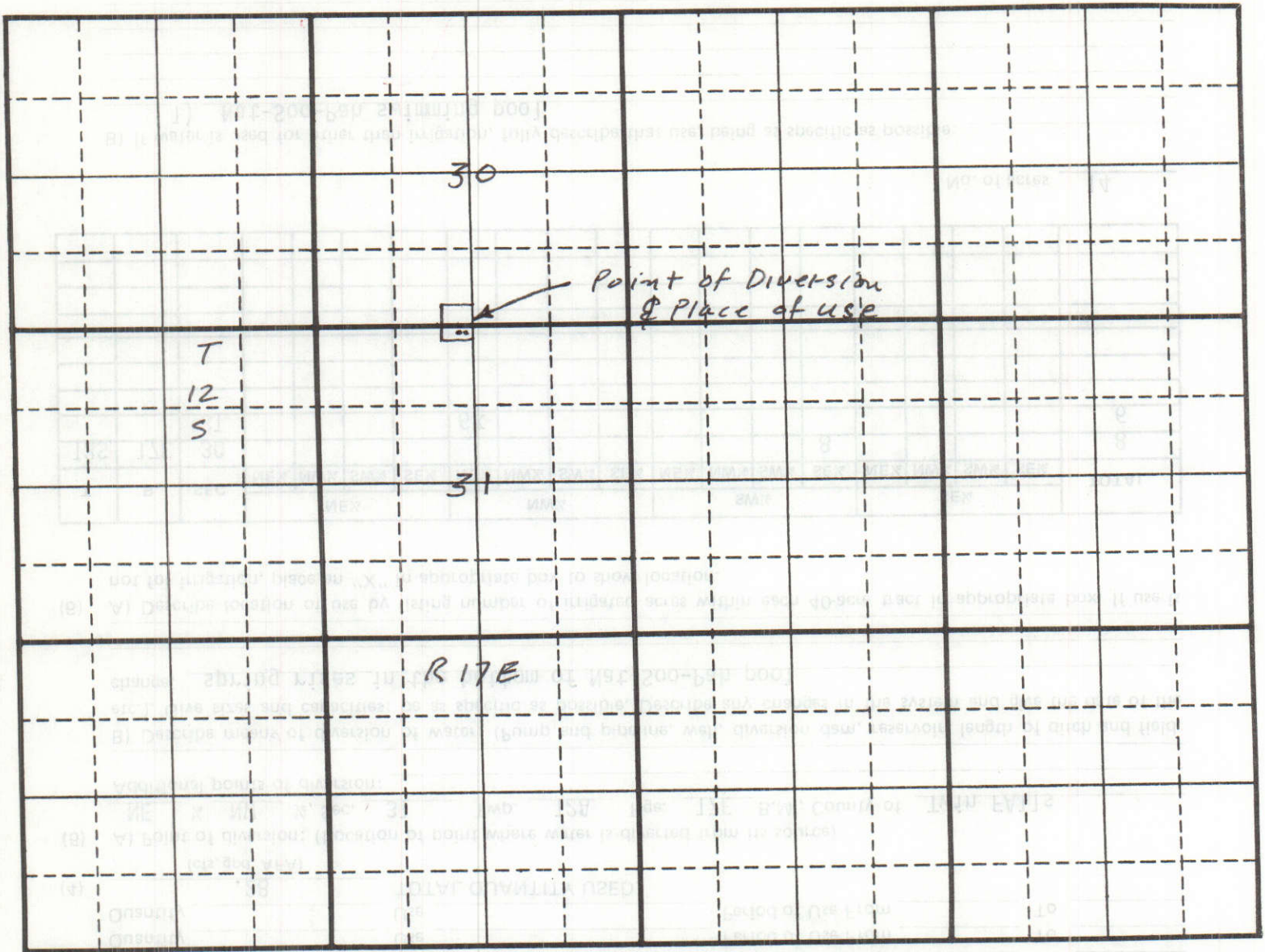
Subscribed and sworn to before me on this February 26, 1987 day of

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

OK
mb
3/3/87

(8) Remarks

UNRECORDED



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)

) ss.

County of Twin Falls)

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 28th day of January, 1980.

(Claimant)

Notary Public

Residing at Twin Falls Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by L.H. Date 1-28-80 Exception filed by: _____ Date _____
Prelim. check by JA Date 1-29-80 Forwarded to claimant by: _____
\$20.00 fee received by marcya Date 2/8/80 #17086
Published in times news
Dates 2/21 + 2/28/80

LEGAL NOTICE

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:

47-4148

DUFFY, JERRY G.
ROUTE 1, TWIN FALLS, ID
83301

Source: SOO-PAH SPRING
tributary to SINKS

Priority Date 01/01/1926

Amount: 0.28 CFS

Diversion Point: NENW Sec
31 T 12S R 17E, TWIN
FALLS Co.

Use: COMMERCIAL (0.04
CFS) from 01/01 to 12/31
IRRIGATION (0.28 CFS)
from 03/15 to 11/15

Place of Use: SESW Sec 30 T
12S R 17E NENW Sec 31 T
12S R 17E FOR 14 ACRES

Diversion Means: SPRING
RISES IN BOTTOM OF
SWIMMING POOL

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, Feb.
21, and 28, 1980.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 9612

I, Linda Capps McHuie 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
February 20, 1980, and ending with the issue dated
February 28, 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 12 day of

March

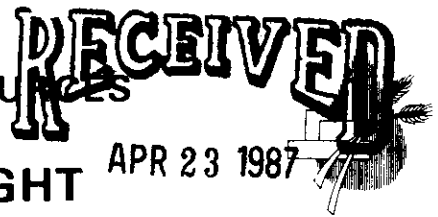
1980.

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



AMENDED

CLAIM TO A WATER RIGHT

Department of Water Resources

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 Jerry G. &/or Nancy Duffy

(Name of Claimant)

Rt. #1, Box 4640 Twin Falls, ID 83301

(Mailing Address)

Telephone No. 655-4337

(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) January 1, 1926 (See Remarks)

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)
Nat-Soo-Pah Spring tributary to Sinks

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.28 cfs</u>	Use <u>Commercial</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.28 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.12 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
(4)	<u>.28 cfs</u>	TOTAL QUANTITY USED.		

(cfs, af)

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

NE 1/4 NE 1/4 NW 1/4, Sec. 31 Twp. 12 S Rge. 17 E 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. Springs piped to places of use and earth ditches to irrigation

- (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%	
*	12S	17E	30											32/S					32
			31					6/C											6
			31					D											
			31					S											

* C=Commercial
D=Domestic
S=Stockwater

No. of acres 38

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water used to fill and heat commercial swimming pool, provide domestic water to living quarters and snack bar/living quarter.

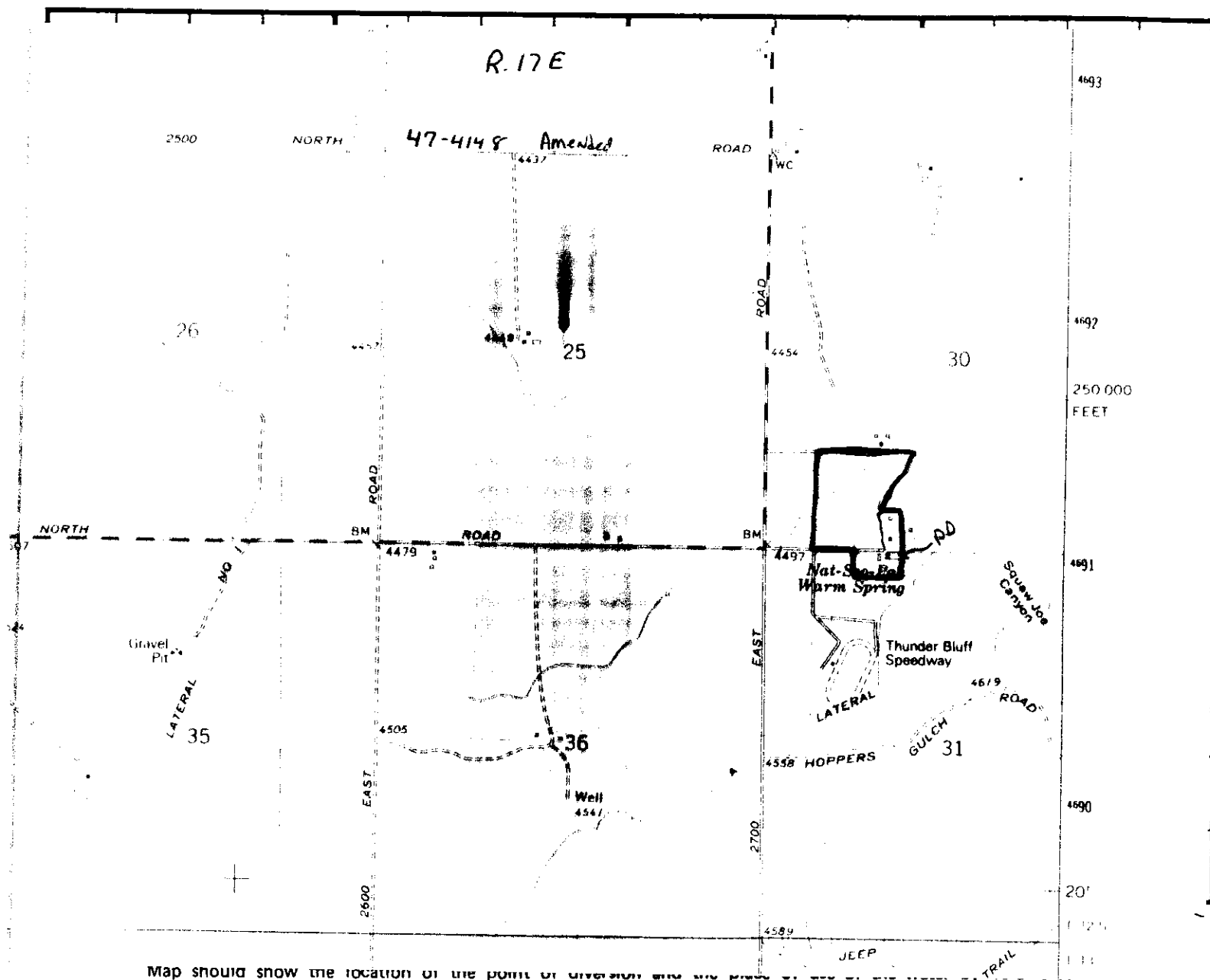
NOTE: Include here the type and number of stock watered: Up to 3000 head of sheep

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

SCANNED

JAN 29 2000

- (8) Remarks Longtime neighbors and previous owners have stated that smaller separate mens and womens pools existed prior to the construction of the present pool in about 1928. Early settlers stated that Indians were using the springs for bathing at the time of settlement.



Map should show the location of the point of diversion and the place of use of the water in the section, township and range of the public land survey system.

State of Idaho)
County of Twinn 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 28 day of January

Jerry Daffy
(Claimant)
19 87.

Loren O Halmer
Notary Public
Residing at Twinn Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by T. Blau Date 1-23-87 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADN Date 2/2/87 claimant by: _____
Published in June News Jones Corp. MB 2/23/87
Dates 2/19 + 2/26/87

**NOTICE OF
AMENDED CLAIM TO
A WATER RIGHT
NO. 47-4148**

Notice is hereby given that Claim to a Water Right No. 47-4148 in the name of Jerry G. &/or Nancy Duffy is hereby amended and recorded as follows:

Source: Nat-Soo-Pah

Spring

Priority Date:

January 1, 1926

Amount: 0.28 cfs

Diversion

Point:

NENENW, Sec. 31, T
12S, R 17E., Boise Meri-
dian, Twin Falls County.

Use: Commercial

(0.28 cfs)

Irrigation (0.28 cfs)

Domestic (0.04 cfs)

Stockwater (0.12 cfs)

Place of Use: SESW,

Sec. 31, T 12S, R 17E.,

Boise Meridian, Twin Falls County.

Any objection to the

Amended Claim, in

Water Right must be filed

with the Department

of Water Resources,

2148 4th Avenue East,

Twin Falls, ID 83301.

A. KEN DUNN, Dir.

PUBLISH: Thursday,

February 19 and 26, 1987.

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

SS.

MAR 2 1987 No. 17153

I, Belinda J. Coffey, Department of Water Resources, being first duly sworn upon oath, depose and say that I am Public 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 February 19, 1987, and ending with the issue dated February 26, 1987.

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

day of

Belinda J. Coffey 26 1987
February 1987

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

OK
mb
3/3/87

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 Jerry G. Duffy
(Name of Claimant)
Route 1 Twin Falls, Idaho 83301 Telephone No. 655-4337
(Mailing Address) (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) Jan. 1, 1926

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)
Soo-Pah Spring tributary to sinks

(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>.04</u>	Use	<u>commercial (pool)</u>	Period of Use From	<u>Jan 1</u>	To	<u>Dec. 31</u>
Quantity	<u>.28</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	

(4) .28 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. 31 Twp. 12S Rge. 17E 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. spring rises in the bottom of Nat-Soo-Pah pool

(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	
12S	17E	30												8					8
		31					6X												6

No. of acres 14

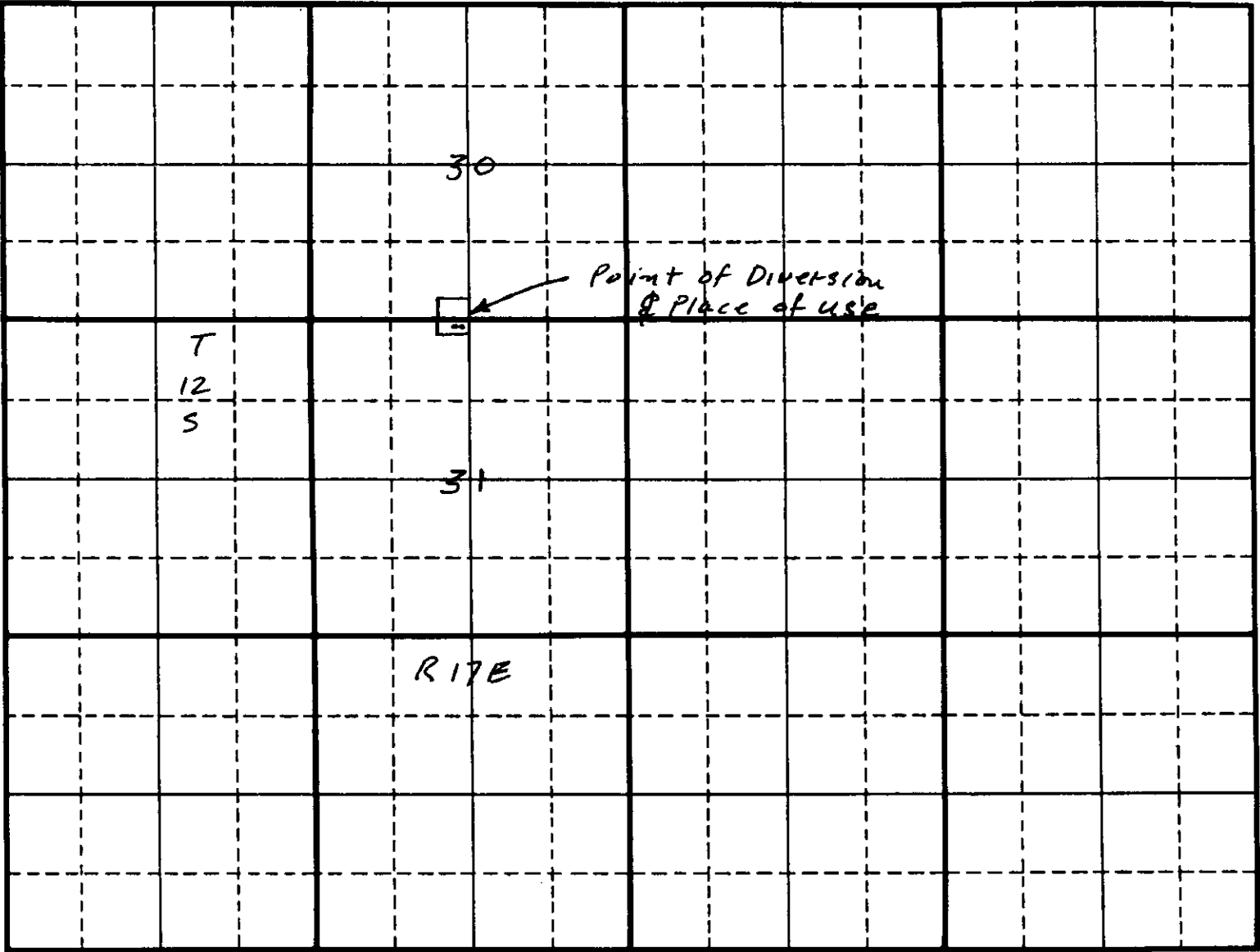
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
1) Nat-Soo-Pah swimming pool

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:

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.

Sworn to before me this 28th day of January, 1980.

Larry G. Duff
(Claimant)

Loren O'Holmes
Notary Public
Residing at Twin Falls Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LD Date 1-28-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JD Date 1-29-80 claimant by: _____
\$20.00 fee received by macys Date 1/28/80 #17086
Published in Times News
Dates 2/21 + 2/28/80

Affidavit of Publication

Nº 9612

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Thursday,

LEGAL NOTICE

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:

47-4198
DUFFY, JERRY G.
ROUTE 1, TWIN FALLS, ID
83301

Source: BOO-PAH SPRING
tributary to SNKRS
Priority Date 01/01/1928
Amount: 1.25 CFS

Diversion Point: NENW Sec
31 T 12S R 17E, TWIN
FALLS Co.

Use: COMMERCIAL (0.04
CFS) from 01/01 to 12/31
IRRIGATION (0.20 CFS)
from 03/15 to 11/15

Place of Use: SESW Sec 30 T
12S R 17E NENW Sec 31 T
12S R 17E FOR 14 ACRES

Diversion Means: SPRING
PIEDS IN BOTTOM OF
SWIMMING POOL

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 1941 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301.

C. STEPHEN ALLRED
Director

WITNESSED: Thursday, Feb.
21, and 28, 1980.

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

February 20 ---, 1980, and ending with the issue dated
February 28 ---, 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

March

1980

Nelba Rowlett-Smith

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

MICROFILMED

ok
mays
3/19/80

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS
132 3RD ST W
P. O. BOX 54
TWIN FALLS ID 83303

RETURN POSTAGE GUARANTEED					
INVOICE NO.		CLASS		BILLING DATE	
17153		343		02/27/87	
INDEXING TERM					
#47-4143					
START DATE		TELEPHONE NO.		ORDER NO.	
2/19/87		734-3573			
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
33	2		21.28	21.28	
OK m/b 3/3/87					
PAY THIS AMOUNT ▶			21.28	21.28	
GROSS AMT DUE AFTER C3/14					

RECEIVED
MAR 2 1987
Department of Water Resources
Southern Region Office

17153 2128

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST

TWIN FALLS

ID

83301



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

February 27, 1987

Idaho Water Resources
2148 4th Ave East
Twin Falls ID 83301

RECEIVED
MAR 2 1987
Department of Water Resources
Southern Region Office

RIGHTS #47-4148

Two Times

February 19, 1987, 38 lines @ .32- - \$12.16

February 26, 1987, 38 lines @ .24- - \$ 9.12

"I hereby certify that the above account is correct and
that the supplies were actually furnished and/or that
the services were actually rendered as charged, and that
I have received payment therefor."

WED: The Times-News - Magic Valley Newspapers, Inc.

BY: _____

INVOICE

17153

AGE PTS.

\$21.28

OK
m/b
3/3/87



State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

2148 4th Ave. E.
Twin Falls, Idaho 83301
(208) 734-3578

April 20, 1987

Jerry G. &/or Nancy Duffy
Rt. #1, Box 4640
Twin Falls, ID 83301

Re: Amended Claim 47-4148

Dear Mr. & Mrs. Duffy:

The Department of Water Resources has completed the advertising of your Amended claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your Amended 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 or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

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.

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

Very truly yours,

Allen D. Merritt, P.E.
Water Resource Engineer

AM:MB

Enclosure

-4148



State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

February 23, 1987

2148 4th Ave. E.
Twin Falls, Idaho 83301
(208) 734-3578

Oran Jones, President
Jones Corporation
Rt. 1, Box 4631
Twin Falls, ID 83301

Re: Claim to a Water Right No. 47-4147 & 47-4148

We are in receipt of your exception to Claims to a Water Right as listed above.

The following excerpt from Section 42-244 of the IDAHO CODE explains what has been done and what will be done in regards to the exception you have filed:

42-244 Recording of claims by Department, Corrections

"At any time after filing a claim under the previous section (Section 42-243) 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 fees shall be required."

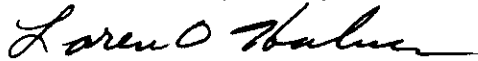
Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or

Jones Corporation
Page 2
February 23, 1987

evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Loren O. Holmes", with a horizontal line extending from the end of the signature.

LOREN O. HOLMES
Southern Region Supervisor

LOH:MB

Encl:



State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

CECIL D. ANDRUS
Governor

2148 4th Ave. E.
Twin Falls, Idaho 83301
(208) 734-3578

A. KENNETH DUNN
Director

February 23, 1987

Jerry G. Duffy
Rt. 1, Box 4640
Twin Falls, ID 83301

Re: Exception to Claims to a Water Right No. 47-4147 & 47-4148

Dear Mr. Duffy:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right submitted by Jones Corporation of Twin Falls, ID.

The following excerpt from Section 42-244 of the IDAHO CODE explains what has been done and what will be done in regards to the exception filed:

42-244 Recording of claims by Department, Corrections

"At any time after filing a claim under the previous section (Section 42-243) 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 fees shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings 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

The Jones Corporation represented by Oran Jones, President and Roger Jones, Shareholder do hereby file an exception to the Amended Claims 47-4147 and 47-4148 for the reason that they do not feel the claims represents the historical water uses of the Nat-Soo-Pah swimming pool complex.

We do hereby depose and say that to the best of our judgment only 18 acres have ever been continuously irrigated around the facility from the spring and well.

The total diversion rate from the springs and well to our knowledge has never been more than 20 miners inches.

RECEIVED

FEB 23 1987

Department of Water Resources
Southern Region Office

Oran Jones
Oran Jones, President

Roger Jones
Roger Jones, Shareholder

STATE OF IDAHO)
County of Twin Falls)

Sworn to before me this 23 day of February, 1987.

Mary A. Baldwin
Mary A. Baldwin
Notary Public residing
at Gooding, Idaho

My commission expires - October 16, 1992

RECEIVED
APR 23 1987

Department of Water Resources

TESTIMONIAL

This testimony refers to my (John K. Courtney of Route #1 Box 4659 Twin Falls, Idaho) personal experiences and memory of the amount and use of the water flow from the Nat-Soo-Pah hot springs and wells located in the NW $\frac{1}{4}$ of section 31, Township 12 South, Range 17 East, Boise Meridian.

As a youngster during the early 1930's, I lived within $\frac{3}{4}$ miles of the natatorium and went swimming there many times. The swimming pool itself was identical in size and construction as it is at the present. As I remember the general procedure of the day was to drain the pool during the night once a week, clean the pool the next morning, then commence refilling and it would be full the following day. Later, during the 1950's, I leased the Alfred J. Riechers farm that is adjacent to the Nat-Soo-Pah property. At that time some of the water was used to irrigate some of the Nat-Soo-Pah property and Alfred Riechers used some of the summer and off season water flow as irrigation water on about (20) twenty acres of orchard and pasture. Whenever the the total flow was present, my opinion is there may have been about (.5cfs) one half of a cubic foot per second. I have lived within a few miles of the Nat-Soo-Pah most of my life and my observation has been that since the 1930's the water flow had gradually decreased until Jerry Duffy drilled a new well.

Signed:

John K. Courtney
John K. Courtney

RECEIVED
APR 23 1987

Department of Water Resources

John K. Courtney testimonial - Page 1 of 2
Nat-Soo-Pah Water

RECEIVED

MAR 3 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
: ss
County of Twin Falls)

On this 3rd day of March, 1987, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John K. Courtney, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Selen Arnold
Notary Public for State of Idaho
Residing at: Twin Falls, Idaho

John K. Courtney testimonial - Page 2 of 2
Nat-500-Pah water

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 47-4148

Notice is hereby given that Claim to a Water Right No.47-4148 in the name of Jerry G. &/or Nancy Duffy is hereby amended and recorded as follows:

Source: Nat-Soo-Pah Spring

Priority Date: January 1, 1926

Amount: 0.28 cfs

Diversion Point: NENENW, Sec. 31, T12S, R17E., Boise Meridian, Twin Falls County.

Use: Commercial	(0.28 cfs)
Irrigation	(0.28 cfs)
Domestic	(0.04 cfs)
Stockwater	(0.12 cfs)

Place of Use: SESW, Sec. 30, NENW, Sec. 31, T12S, R17E.

Any exception to the Amended Claim to a Water Right must be filed with the Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301.

A. Ken Dunn - Director

Published 2/19 & 2/26/87

**NOTICE OF
AMENDED CLAIM TO
A WATER RIGHT
NO. 47-4148**

Notice is hereby given
that Claim to a Water
Right No. 47-4148 in the
name of Jerry G. &/or
Nancy Duffy is hereby
amended and recorded
as follows:

Source: Nat-Soo-Pah
Spring

Priority Date:

January 1, 1926

Amount: 0.28 cfs

Diversion **Point:**
NENENW, Sec. 31, T
12S, R 17E., Boise Meri-
dian, Twin Falls County.

Use: Commercial
(0.28 cfs)

Irrigation (0.28 cfs)

Domestic (0.04 cfs)

Stockwater (0.12 cfs)

Place of Use: SESW,
Sec. 30, NENW, Sec. 31,
T 12S, R 17E.

Any exception to the
Amended Claim to a
Water Right must be fil-
ed with the Department
of Water Resources,
2148 4th Avenue East,
Twin Falls, ID 83301.

A. KEN DUNN, Dir.

PUBLISH: Thursday,
February 19 and 26, 1987.

AK
mb
2/18/87
RECEIVED

FEB 17 1987

Department of Water Resources
Southern Region Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

2148 4th Ave. E.
Twin Falls, Idaho 83301
(208) 734-3578

February 3, 1987

Times News
P.O. Box 548
Twin Falls, ID 83301

Re: Amended Claim 47-4148

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord.

Encl:

STAFF ANALYSIS SUPPLEMENT

- 1) Water District 47-4148 Amended

- 2) Local Description: (of one P/D)



At the above street address



_____ miles N/S _____ and 3 miles E/W E
of Hollister, Idaho (City or landmark).



Other (describe):

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

MARCH 11, 1980

JERRY G. DUFFY
ROUTE 1
TWIN FALLS

ID 83301

RE: Claim No. 47-4148

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



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:

47-4148

DUFFY, JERRY G.

ROUTE 1, TWIN FALLS, ID 83301

Source: SDO-PAH SPRING tributary to SINKS

Priority Date: 01/01/1926

Amount: 0.28 CFS

Diversion Point: NENW Sec 31 T 12S R 17E, TWIN FALLS Co.

Use: COMMERCIAL	(0.04 CFS)	from 01/01 to 12/31
IRRIGATION	(0.28 CFS)	from 03/15 to 11/15

Place of Use: SESW Sec 30 T 12S R 17E NENW Sec 31 T 12S R 17E
FOR 14 ACRES

Diversion Means: SPRING RISES IN BOTTOM OF SWIMMING POOL

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 2/21 & 2/28/80.

RECORDED

**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:

47-4148

DUFFY, JERRY G.
ROUTE 1, TWIN FALLS, ID
83301

Source: SOO-PAH SPRING
tributary to SINKS
Priority Date 01/01/1926
Amount: 0.28 CFS

Diversion Point: NENW Sec
31 T 12S R 17E, TWIN
FALLS Co.

Use: COMMERCIAL (0.04
CFS) from 01/01 to 12/31
IRRIGATION (0.28 CFS)
from 03/15 to 11/15

Place of Use: SESW Sec 30 T
12S R 17E NENW Sec 31 T
12S R 17E FOR 14 ACRES

Diversion Means: SPRING
RISES IN BOTTOM OF
SWIMMING POOL

47-4147

OK
2/2/80
DGF.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 5, 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 MARCH 10, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

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