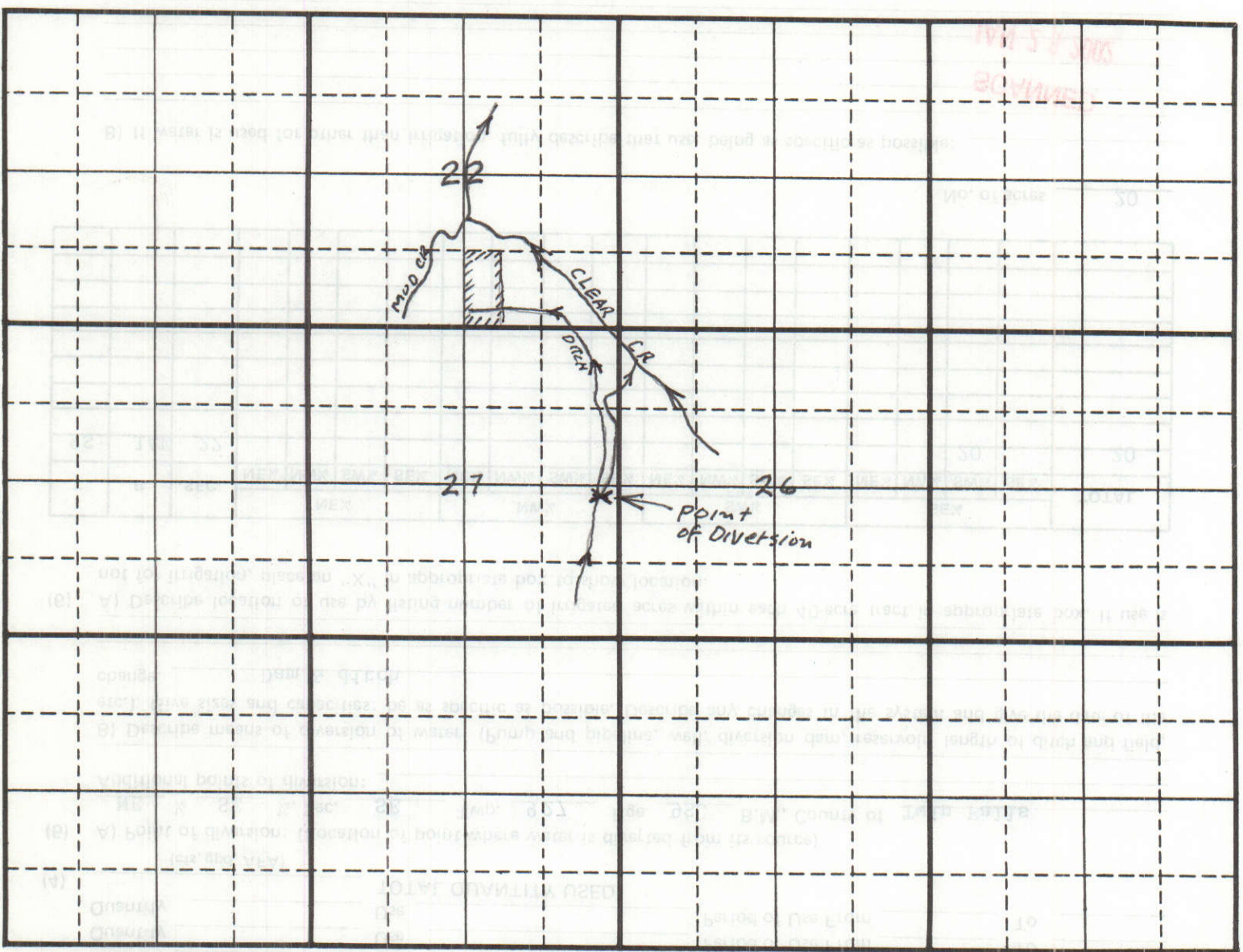


RECORDED

(8) Remarks This water is diverted and used in connection with claim 47-4059



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.

Orville Graesch
(Claimant)

Sworn to before me this 14 day of May, 19 79.

Loren O Halmer
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LA Date 5-14-79 Exception filed by: _____ Fowardred to _____ Date _____
Prelim. check by LA Date 5-15-79 claimant by: _____
\$20.00 fee received by maeyo Date 5-14-79 # 12793
Published in times news
Dates 5/31 & 6/7/79

**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:

47-4104
GRAESCH, ORVILLE &/or
RENATA
ROUTE 3 BOX 209, BUHL, ID
83316
Source: WASTEWATER &
SPRINGWATER tributary
to CLEAR CREEK
Priority Date: 03/15/1929
Amount: 0.40 CFS
Diversion Point: NESE Sec
27 T 09S R 14E, TWIN
FALLS Co.
Use: IRRIGATION (0.40 CFS)
from 03/15 to 11/15
Place of Use: SWSE Sec 22 T
09S R 14E FOR 20 ACRES
Diversion Means: DAM AND
DITCH

47-4103
STEEL, LAVAR &/or
SHARONE
ROUTE 4, TWIN FALLS, ID
83301
Source: SEEPAGE STREAM
tributary to ROCK CREEK
Priority Date: 04/01/1930
Amount: 0.20 CFS
Diversion Point: SWSW Sec
01 T 10S R 16E, TWIN
FALLS Co.
Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31
IRRIGATION (0.18 CFS)
from 04/01 to 11/30
Place of Use: SWSW Sec 01
T 10S R 16E FOR 3 ACRES
Diversion Means: CHECK
DAM AND DITCH

47-4102
MAURICE ECKERT & SONS
INC.
ROUTE 3, BUHL, ID 83316
Source: GROUNDWATER
Priority Date: 09/01/1961
Amount: 0.16 CFS
Diversion Point: SESE Sec
27 T 08S R 13E NENE Sec
34 T 08S R 13E, TWIN
FALLS Co.
Use: DOMESTIC (0.16 CFS)
from 01/01 to 12/31
STOCKWATER (0.12 CFS)
from 01/01 to 12/31
INDUSTRIAL (0.02 CFS)
from 01/01 to 12/31
Place of Use: SESE Sec 27 T
08S R 13E NENE Sec 34 T
08S R 13E NENE Sec 34 T
08S R 13E NWNW Sec 35 T
08S R 13E NENE Sec 34 T
08S R 13E NWNW Sec 35 T
08S R 13E NWNW Sec 02 T
09S R 13E NENE Sec 03 T
09S R 13E

Diversion Means: TWO
WELLS AND PUMPS
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 31,
and June 7, 1979.

Affidavit of Publication

Nº 8344

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

I, Nola L. Laughlin being first duly sworn up
oath, depose and say that I am Pure 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 Thursdays, commencing with the issue dated
May 31, 1979, and ending with the issue dated
June 7, 1979.

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 seventh day of
June, 1979.

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

MICROFILMED

RECEIVED
JUN 11 1979
CLERK OF DISTRICT COURT
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 Orville Graesch &/or Renata Graesch
(Name of Claimant)

Route 3 - Box 209, Buhl, Idaho 83316 Telephone No. 543-5778
(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) 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)
Wastewater & spring water tributary to Clear 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	<u>0.40</u>	Use	<u>irrigation</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 15</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 27 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.
Dam & 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	22															20		20

No. of acres 20

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

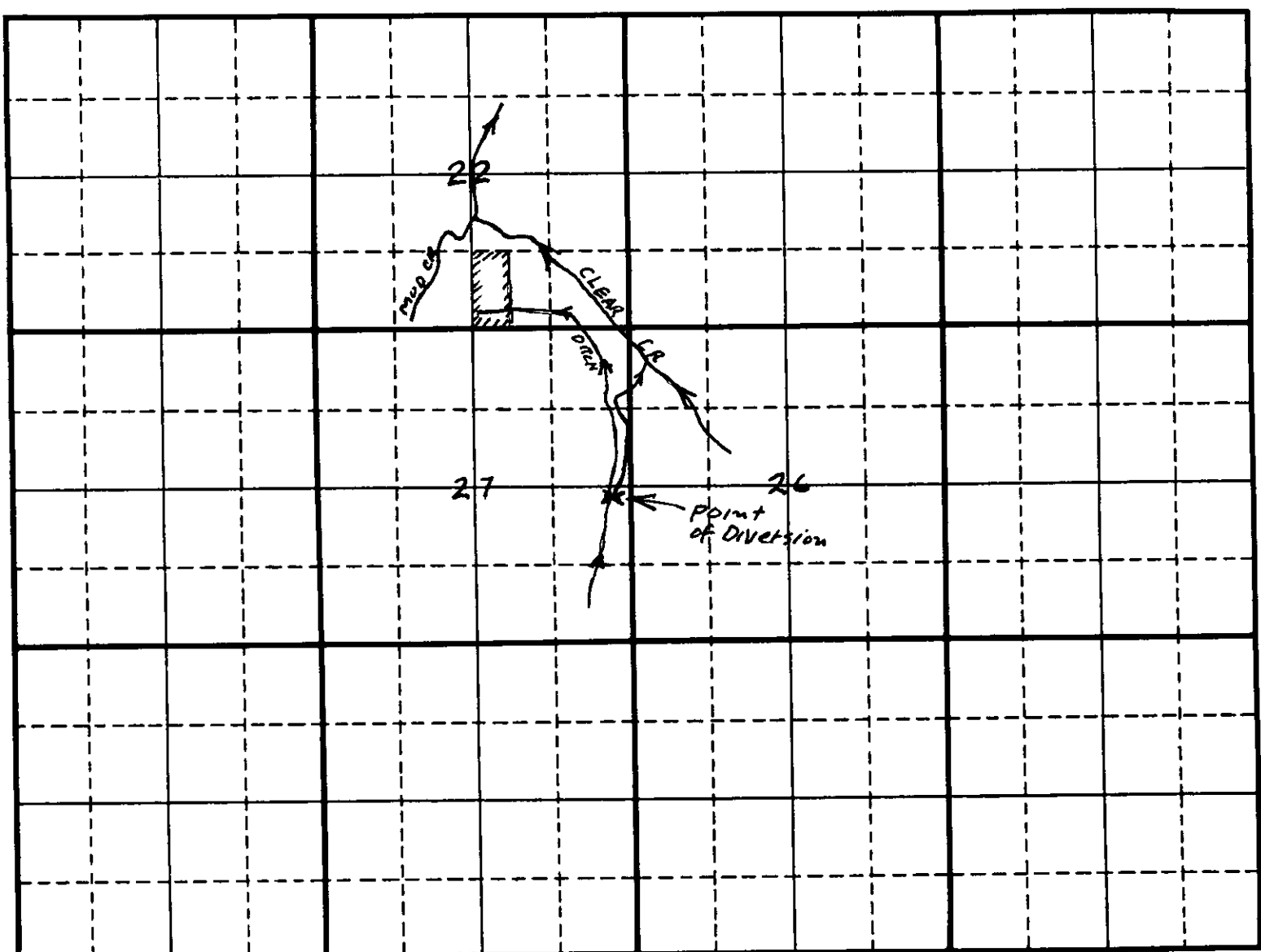
SCANNED
JAN 28 2002

NOTE: Include here the type and number of stock watered:

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

MICROFILMED

(8) Remarks This water is diverted and used in connection with claim 47-4059



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.

Orville Graessch
(Claimant)

Sworn to before me this 14 day of May, 19 79.

Loren O. Halmer
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LA Date 5-14-79 Exception filed by: _____ Fowardred to _____ Date _____
Prelim. check by ga Date 5-15-79 claimant by: _____
\$20.00 fee received by maria Date 5-14-79 # 12793
Published in times news
Dates 5/31 & 6/2/79

Nº 8344

55

I, Wade H. Laughlin being first duly sworn up
oath, depose and say that I am Pure 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 Thursdays, commencing with the issue dated
May 31, 1979, and ending with the issue dated
June 7, 1979.

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 12th day of

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

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 18, 1979

ORVILLE GRAESCH
RENATA GRAESCH
ROUTE 3
BOX 209
BUHL

ID 83316

RE: Claim No. 47-4104

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

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:

4Z-4104-

GRAESCH, ORVILLE &/or RENATA

ROUTE 3, BOX 209, BUHL, ID 83316

Source: WASTEWATER & SPRINGWATER tributary to CLEAR CREEK

Priority Date: 03/15/1929

Amount: 0.40 CFS

Diversion Point: NESE Sec 27 T 09S R 14E, TWIN FALLS Co.

Use: IRRIGATION (0.40 CFS) from 03/15 to 11/15

Place of Use: SWSE Sec 22 T 09S R 14E FOR 20 ACRES

Diversion Means: DAM AND 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 5/31 & 6/7/1979.

MICROFILMED

proof
/0375 p

ad 1 legal notices
starting Thursday, may 31

**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:

47-4104

GRAESCH, ORVILLE &/or
RENATA
ROUTE 3 BOX 209, BUHL, ID
83318

Source: WASTEWATER &
SPRINGWATER tributary
to CLEAR CREEK

Priority Date: 03/15/1929

Amount: 0.40 CFS

Diversion Point: NESE Sec
27 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.40 CFS)
from 03/15 to 11/15

Place of Use: SWSE Sec 22 T
09S R 14E FOR 20 ACRES

Diversion Means: DAM AND
DITCH

*ad
mays
6-4-79*

DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 16, 1979

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 JUNE 18, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED