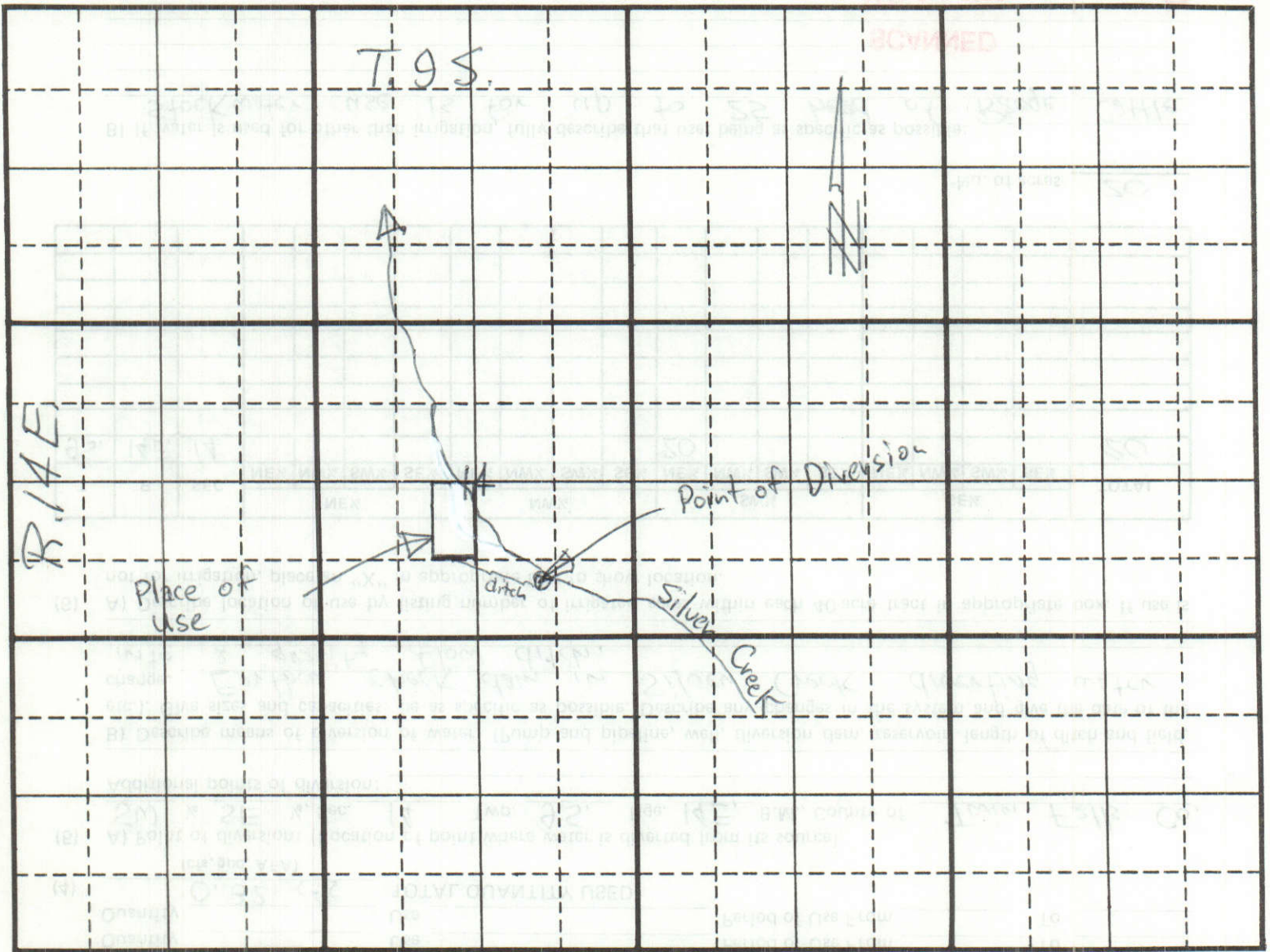


(8) Remarks _____

(1) _____



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.

Albert Humes
(Claimant)

Sworn to before me this 11th day of December, 1978.

Loren O'Halloran
Notary Public
Residing at Twin Falls, Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADM Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date _____ claimant by: _____
\$20.00 fee received by maxa Date 12/11/78 cl # 92-250
Published in Times Review 12/28/78 + 1/4/79
Dates _____

Affidavit of Publication

Nº 7906

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

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:

47-4095

TURNER, ALBERT
ROUTE #3, BUHL, ID 83316
Source: SILVER CREEK tributary to POTTER
CREEK & MUD CREEK

Priority date: 04/01/1950

Amount: 0.82 CFS

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

Use: IRRIGATION (0.80 CFS) from 03/15 to
11/15

STOCKWATER (0.02 CFS) from 01/01 to
12/31

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

Diversion Means: CHECK DAM IN STREAM
47-4096

TURNER, RUTH L.
ROUTE #3, BUHL, ID 83316
Source: SEWER CREEK tributary to MUD
CREEK

Priority Date: 06/01/1944

Amount: 0.82 CFS

Diversion Point: NENW Sec 23 T 09S R 14E,
TWIN FALLS Co.

Use: IRRIGATION (0.80 CFS) from 03/15 to
11/15

STOCKWATER (0.02 CFS) from 01/01 to
12/31

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

Diversion Means: CHECK DAM IN STREAM

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, Dec. 28, 1978, and Jan.
4, 1979.

I, Nola L. Laughlin being first duly sworn up
oath, depose and say that I am Punc 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
December 28, 1978, and ending with the issue dated
January 4, 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 ther-
of, Thursday is announced as the day on which said legal notices will be published.

Nola L. Laughlin
Subscribed and sworn to before me on this 4th day of

January, 1979
Kay L. Mahoney

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

Department of Water Resources
Southern District Office
Twin Falls, Idaho

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 11 1978

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

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 Albert Turner
Route #3, Buhl, Idaho (Mailing Address) (Name of Claimant) 83316 Telephone No. 543-6713
(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) April 1, 1950

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)
Silver Creek tributary to Potter Creek → Mud 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>0.80 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 15</u>
Quantity	<u>0.02 cfs</u>	Use	<u>Stockwater</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) 0.82 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 14 Twp. 9S. Rge. 14E, B.M., County of Twin Falls Co.
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Earthen check dam in Silver Creek diverting water into 2 gravity flow 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	
<u>9S.</u>	<u>14E.</u>	<u>14</u>									<u>20</u>								<u>20</u>

No. of acres 20

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwater use is for up to 25 head of Range Cattle

SCANNED

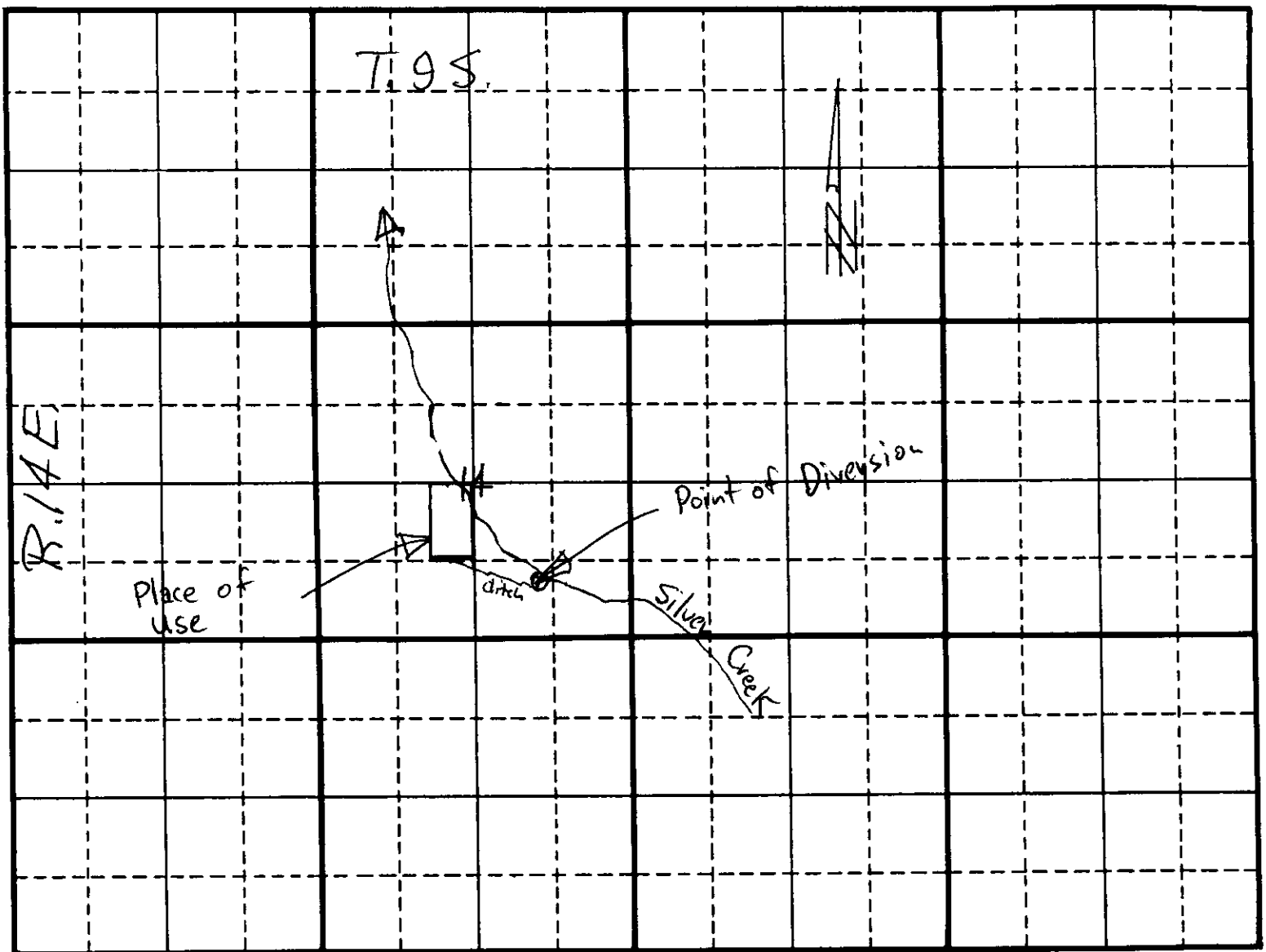
NOTE: Include here the type and number of stock watered:

JAN 28 2002

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

FILED

(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.

Albert J. Sumner
(Claimant)

Sworn to before me this 11th day of December, 1978.

Loren O. Halmer
Notary Public
Residing at Twin Falls, Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADM Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date _____ claimant by: _____
\$20.00 fee received by max Date 12/11/78 ch# 72-250
Published in Times-Journal 12/6/78
Dates 12/28/78 & 1/4/79



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

January 9, 1979

Richard H. Carlson L. S.
Accurate Surveys
Jerome, Idaho 83338

Re: Claim to a Water Right - No. 47-4095 - Albert Turner

Dear Mr. Carlson:

In answer to your letter of January 5, 1979, please find enclosed a copy of Claim to a Water Right No. 47-4095.

The stream in question is shown as an unnamed stream on the USGS "Thousand Springs" quadrangle.

The stream referred to in our letter of January 5, 1978, is apparently another unnamed stream which lies to the east of the Silver Creek referred to in the claim.

If we can be of any further assistance, please contact us.

Sincerely,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

47-4095

ACCURATE SURVEYS
Jerome, Idaho

January 5, 1978

RECEIVED

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

JAN 8 1979

Department of Water Resources
Southern District Office

Attention: C. Stephen Allred

Re: Turner, Albert; Water Rights (47-4095)

It is my understanding that the creek named Silver Creek in Section 14, T.9S., R.14E., B.M., is more specifically located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section as evidenced by reference in property descriptions in that area. Could you please clarify as to the location of the diversion?

Thank You:


Richard H. Carlson L.S.

**Upper and
Sootier.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 5, 1979

ALBERT TURNER
ROUTE #3
BUHL

ID 83316

RE: Claim No. 47-4095

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 D. HOLMES
Southern Region Supervisor

Enclosure

DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 14, 1978

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JANUARY 15, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

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:

42-4095.

TURNER, ALBERT

ROUTE #3, BUHL, ID 83316

Source: SILVER CREEK tributary to POTTER CREEK & MUD CREEK

Priority Date: 04/01/1950

Amount: 0.02 CFS

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

Use: IRRIGATION	(0.80 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

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

Diversion Means: CHECK DAM IN STREAM

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 12/28 & 1/4/1979.

RECEIVED
JAN 4 1979
TWIN FALLS, IDAHO