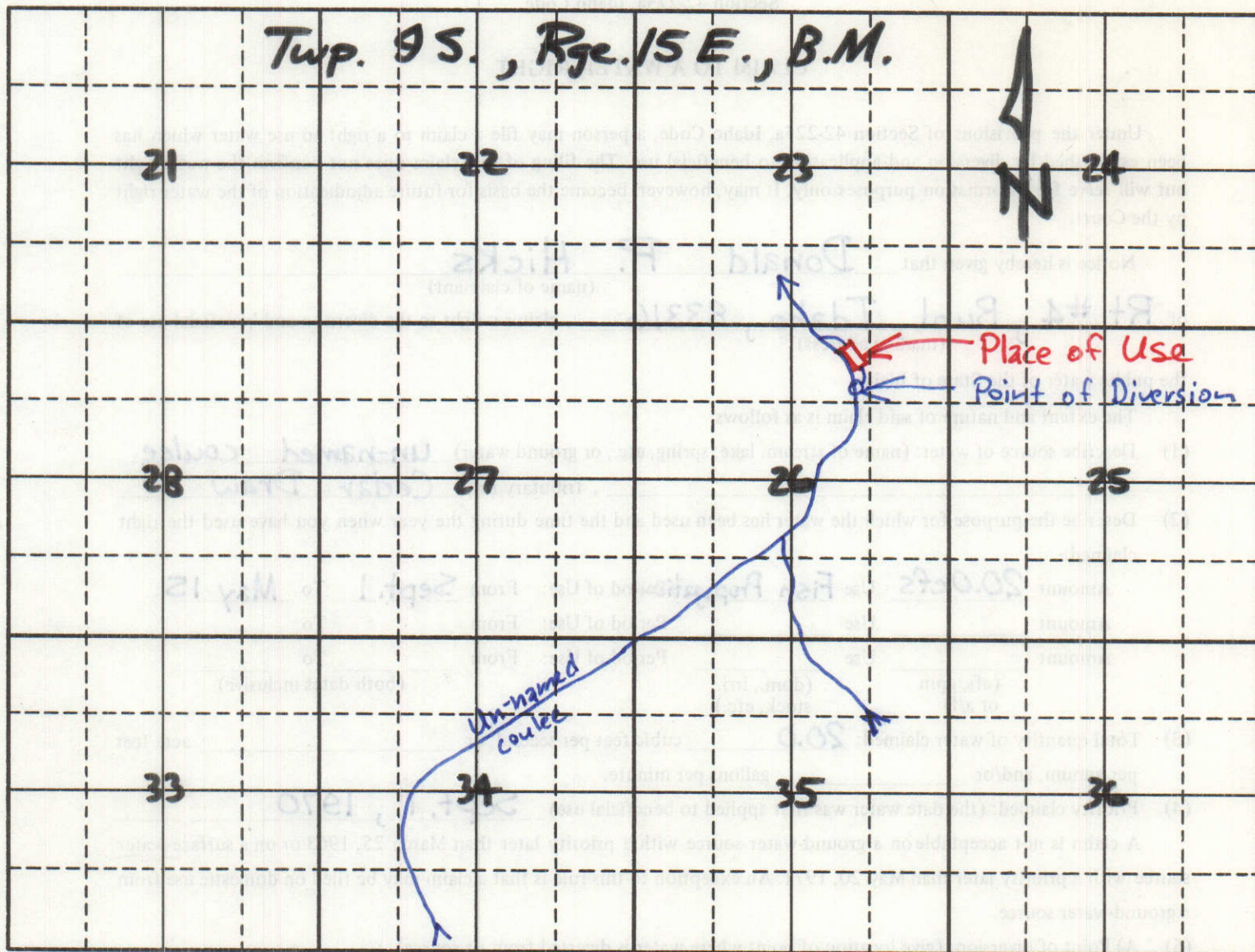


(8) Remarks _____



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 affiants knowledge.

Donald R. Hicks
(Claimant)

Sworn to before me this 20 day of Oct.

Michael L. Steele
Notary Public
Residing at Twin Falls Idaho

My commission expires Life term

For Department Use Only

Received by <u>ADM</u>	Date <u>10/20/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>10-26-77</u>		claimant by:	
\$10.00 fee received by <u>Am</u>	Date <u>10/20/77</u>	<u>#7406</u>		
Approved for publication by <u>Sm</u>	<u>11/25/77</u>			
Published in <u>Times News</u>				
Dates <u>11/3 + 11/10/77</u>				

ok/sm
11/25/77

NOTICE OF CLAIM TO A WATER
RIGHT

NO. 47-4078

Notice is hereby given that Donald R. Hicks, Buhl, Idaho 83316 has filed a claim to a water right established by diversion and application to beneficial use of 20.0 cubic feet per second of water from unnamed coulee tributary to Cedar Draw with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, Twp. 9S. Rge. 15E, B.M., Twin Falls County.

The water is claimed to be used from Sept. 1 to May 15 for fish propagation with a priority of September 1, 1970; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, Twp. 9S. Rge. 15E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho. 83301.

C. STEPHEN ALLRED
Director

PUBLISH: Nov. 3 and 10, 1977

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 6533

I, Margie Kulhanek being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 November 3, 1977, and ending with the issue dated November 10, 1977.

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, 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.

Margie Kulhanek
Subscribed and sworn to before me on this 10th day of

November, 1977.

Margie L. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Donald R. Hicks
(name of claimant)
of Rt. #4, Buhl, Idaho, 83316, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) un-named coulee
_____, tributary to, Cedar Draw
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|----------------|----|------------------------|
| Amount | <u>20.0 cfs</u> | Use | <u>Fish Propagation</u> | Period of Use: | From | <u>Sept. 1</u> | To | <u>May 15</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 20.0 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Sept. 1, 1970

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 Twp. 9S. Rge. 15E. 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. Conc. check dam diverting water to earthen ponds (two) 150' X 50' dimensions. The water then returns to un-named coulee

- (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.

[illegible]

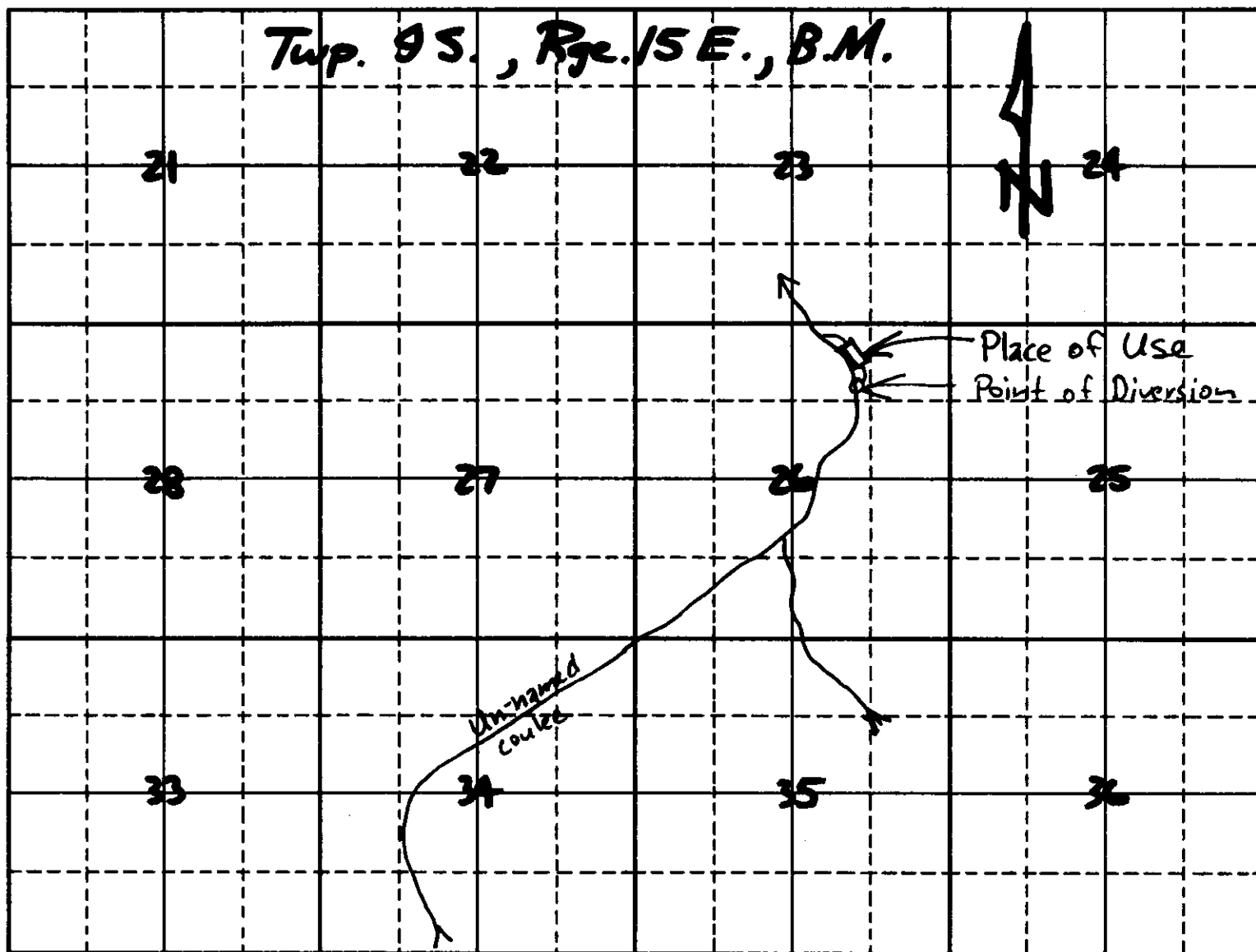
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for the comercial raising of trout.

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

IAN 24 2002

(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 affiants knowledge.

Sworn to before me this 20 day of Oct

Donald R. Hicks
(Claimant)

Michael L. Steele
Notary Public
Residing at Twin Falls Idaho

My commission expires Life term

For Department Use Only

Received by <u>ADM</u>	Date <u>10/20/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DR</u>	Date <u>10-26-77</u>		claimant by:	
\$10.00 fee received by <u>Am</u>	Date <u>10/20/77</u>	<u>#7406</u>		
Approved for publication by <u>sm</u>	<u>11/25/77</u>			
Published in <u>Times News</u>				
Dates <u>11/3 + 11/10/77</u>				

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 6533

I, Mariane Fullbrook, being first duly sworn upon oath, depose and say that I am Printer, Clerk of the TIMES-NEWS, published daily, except Saturday, 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 three days, commencing with the issue dated November 3, 1977, and ending with the issue dated November 10, 1977.

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, 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.

Mariane Fullbrook
Subscribed and sworn to before me on this 10th day of November, 1977.

Marion L. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

November 29, 1977

Mr. Donald R. Hicks
Route # 4
Buhl, Idaho 83316

Re: Claim to a Water Right, No. 47-4078 - Donald R. Hicks

Dear Mr. Hicks:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

NOTICE OF CLAIM TO A WATER RIGHT

NO. 47-4078

Notice is hereby given that Donald R. Hicks

Buhl, Idaho 83316

has filed a claim to a water right established by diversion and application
to beneficial use of 20.0 cubic feet per second ~~acre feet per annum~~
of water from unnamed coulee tributary to Cedar Draw

with point of diversion in the NW 1/4, Sec. 26, Twp. 9S, Rge. 15E, B. M.
Twin Falls County

The water is claimed to be used from Sept. 1 to May 15 for
fish propagation
with a priority of September 1, 1970;

the place of use is within the NW 1/4, Sec. 26, Twp. 9S, Rge. 15E, B. M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301 ~~on or before~~ Nov. 21

C. Stephen Allred

Director

Published in the Times News
on 11/3 and 11/10/77

October 26, 1977

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

Re: Claim to a Water Right No. 47-4078 - Donald R. Hicks

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.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____