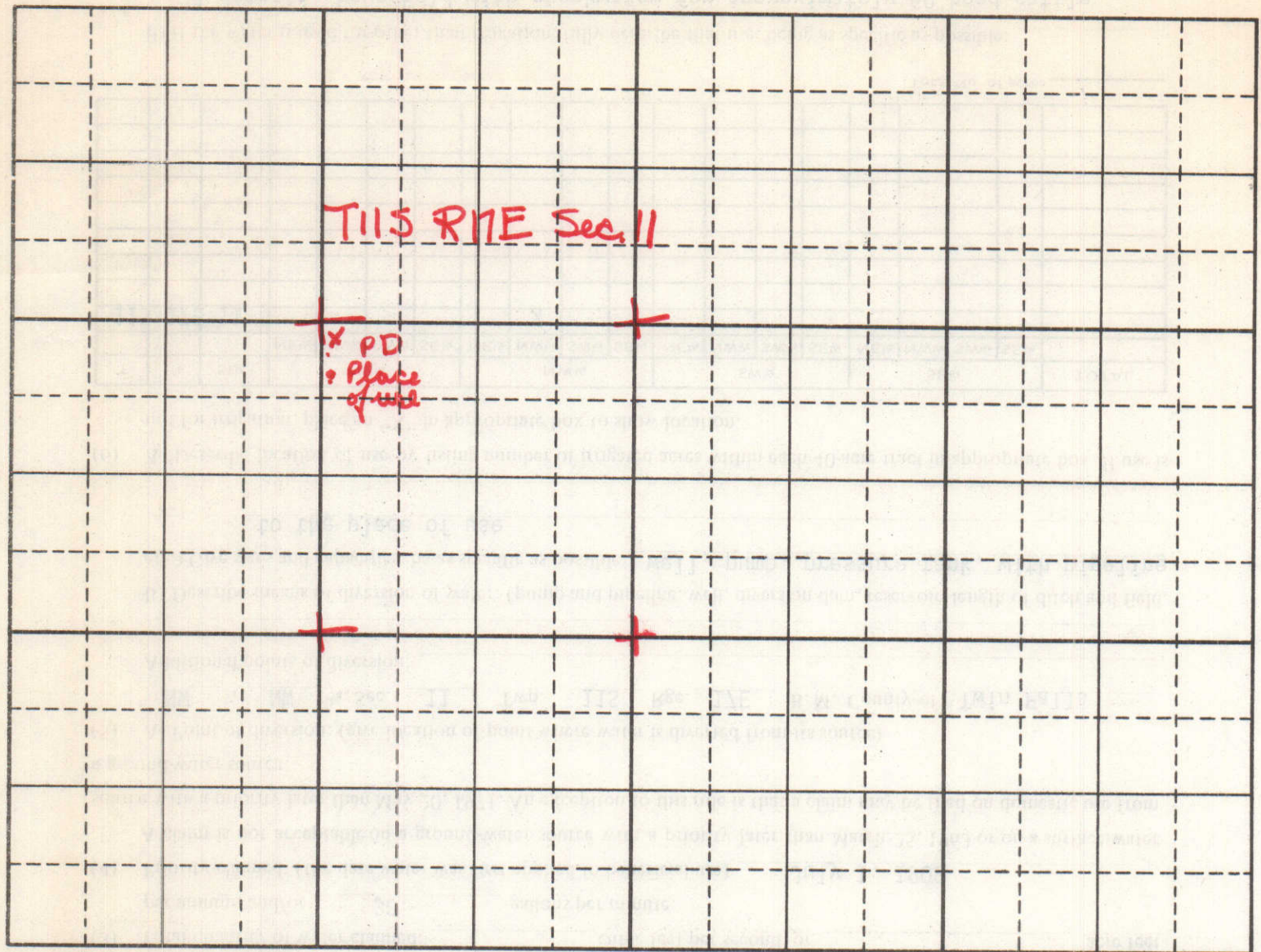


(8) Remarks



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.

Esther L. Cole
(Claimant)

Sworn to before me this 27th day of August, 19 73.

Janet M. Messersmith
Notary Public
Residing at Jerome, Idaho

My commission expires June 15, 1977

For Department Use Only

Received by PLH Date 8-27-73 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by mls Date _____
\$10.00 fee received by mm #11605 Date 8-27-73
Approved for publication by mls _____
Published in Times News _____
Dates 9-6 & 9-13-73 _____

47 4033

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 2442

NOTICE OF CLAIM TO A WATER RIGHT

No. 47-4033

Notice is hereby given that Esther L. Cole, Route 2, Twin Falls, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .067 cubic feet per second of water from groundwater with point of diversion in the NW¼NW¼, Sec. 11, T. 11S, R. 17E, B.M., Twin Falls County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater and domestic purposes with a priority of July 1, 1909 the place of use is within the NW¼NW¼, Sec. 11, T. 11S, R. 17E, B.M.

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

R. Keith Higginson
Director

Published in the Times News on
September 6 and September 13, 1973.

SEP 18 1973

Department of Water Administration
Southern District Office

I, Kay Mabey 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 September 6, 19 73, and ending with the issue dated September 13, 19 73.

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.

Kay Mabey
Subscribed and sworn to before me on this 17th day of

Sept, 19 73

R. Keith Higginson
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho 4033

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Esther L. Cole (name of claimant)
of Route 2, Twin Falls, ID 83301 (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater

(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 gpm</u>	Use <u>Domestic</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount <u>10 gpm</u>	Use <u>Stockwater</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
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: _____ cubic feet per second, or _____ acre feet per annum, and/or 30 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) July 1, 1909

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 ¼ NW ¼, Sec. 11 Twp. 11S 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. well, pump, pressure tank, with pipeline to the place of use

(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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	17E	11						X											

Total No. of acres _____

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

1 domestic household with stockwater for approximately 60 head cattle

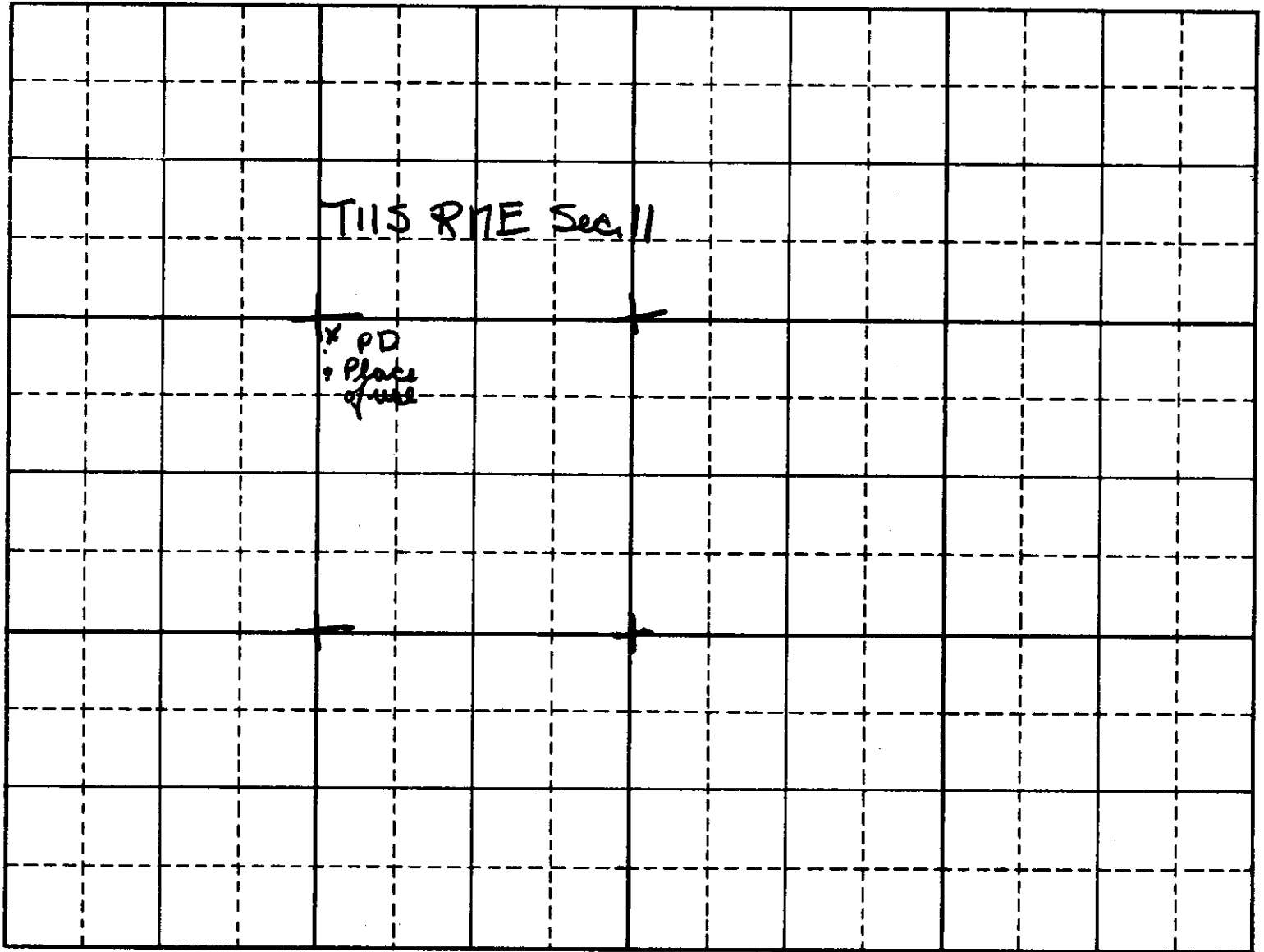
(7) If you are claiming water as a member of an organization, list name of organization: _____

SCANNED

JAN 28 2007

47 4033

(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 27th day of August, 19 73.

Nellie L. Cole
(Claimant)

Janet M. Messersmith
Notary Public
Residing at Jerome, Idaho

My commission expires June 15, 1977

For Department Use Only

Received by MLB Date 8-27-73
Prelim. check by MLB Date _____
\$10.00 fee received by mm #11605 Date 8-27-73
Approved for publication by MLB
Published in Times News
Dates 9-6 & 9-13-73

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

47 4033

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 2442

I, Kay Mabey 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 September 6, 19 73, and ending with the issue dated September 13, 19 73.

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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 17th day of

Sept, 19 73

Notary Public in and for the County of Twin Falls
State of Idaho, residing at Twin Falls, Idaho 4073

September 24, 1973

RE: Claim to a Water Right No. 47-4033

Ms. Esther L. Cole
Route 2
Twin Falls, Idaho 83301

Dear Ms. Cole:

The Department of Water Administration has completed the processing ~~for~~ your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b 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, for your records, a copy of the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Copy of claim

JAN 28 2002

47 4033

September 10, 1973

RE: Application Nos. 47-4033 - Esther L. Cole
47-7218 - Rogerson Hotel Incorporated

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

Gentlemen:

The above referenced applications were to have been published in your newspaper on September 8 and September 13, 1973.

In the cover letters which were sent with the legal notices were requested that you submit to us a galley proof for review before publication. Since the Department failed to receive galley proofs prior to publication, we have no way of knowing whether you have advertised these applications. We trust that they are being taken care of by your staff.

If you have not taken action on these legal notices, please contact our office by telephone immediately.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

47 4033

August 27, 1973

RE: Claim to a Water Right No. 47-4033 - Esther L. Cole

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

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Legal Notice

Bill submitted 9-18-73 by jmm

47 4033

NOTICE OF CLAIM TO A WATER RIGHT

NO. 47-4033

Notice is hereby given that Esther L. Cole
Route 2, Twin Falls, ID

has filed a claim to a water right established by diversion and application
to beneficial use of .067 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from groundwater

with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 11S, R. 17E, B.M.,
Twin Falls County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater and
domestic purposes

with a priority of July 1, 1909;
the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 11S, R. 17E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Times News
on September 6 and September 13, 1973

47 4033