

# Affidavit of Publication

No 12997

STATE OF IDAHO,  
COUNTY OF TWIN FALLS } ss.

I, Mable L. Clark, being first duly sworn upon

oath depose and say that I am Office Manager 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  
Nov 30, 1967, and ending with the issue dated  
Dec 7, 1967.

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 con-  
tinuously 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 ex-  
cept 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.

Mable L. Clark  
7th  
Subscribed and sworn to before me this \_\_\_\_\_ day of

December, 1967

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

## NOTICE OF CLAIM TO A WATER RIGHT

No. 47-4000

Notice is hereby given that the Village of Hollister, Route No. 1, Twin Falls, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 40 (cubic feet per second) of water from a subterranean source with point of diversion in the E 1/2 SW 1/4, Sec. 1, T. 12 S, R. 16 E. B.M.: the water is claimed to be used for municipal use from January 1 to December 31 and for stock water purposes from April 1 to November 1 with a priority of May 10, 1922 (.40 c.f.s.); the place of use is the Village of Hollister and vicinity.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Times-News,  
Twin Falls, Idaho, on November 30  
and Dec. 7, 1967.

RECEIVED

DEC 8

Department of Reclamation

47-4000

Identification No. \_\_\_\_\_

Claim No. 42095

Map No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
**CLAIM TO A WATER RIGHT**

**Established by Diversion and Application to Beneficial Use**

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Village of Hollister, Idaho.  
 post office address Route 1, Twin Falls, Idaho, 83301

2. The point of diversion is in E1 of SW  $\frac{1}{4}$  of 1 Section 1 Township 13S  
 Range 16 E B.M. located on flowing well  
 (name of source)  
 tributary to \_\_\_\_\_ in Twin Falls County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 10, 1922 amount: .40 c.f.s. or \_\_\_\_\_ acre feet

\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet

\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet

Total claimed .40 c.f.s. or \_\_\_\_\_ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use municipal use period of use from Jan 1 May 10 1922 now Dec 31 (both dates inclusive) KS per letter 11-4-67

use stock water period of use from Apr 1st to Nov 1st (both dates inclusive)

use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

use \_\_\_\_\_ period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of \_\_\_\_\_

\_\_\_\_\_ ; length is \_\_\_\_\_ feet; height is \_\_\_\_\_ feet;

width at bottom is \_\_\_\_\_ feet; width at top is \_\_\_\_\_ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. Underground water diverting works: is well flowing or pumped flowing ; depth of well is

435 feet; diameter of well is 6 in inches; type of pump is none

capacity of pump is none g.p.m.; name and address of well driller is not known

\_\_\_\_\_ ;

SCANNED

JAN 23 2002

47-4000

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- Pipe line was put in 1912 of 12 inch wood-replaced 1932 with 6 inch treated wood- we started in 1952 replacing the wood line with Transite and steel. 1965 it was all finished or replaced.

- if feeder canal is used give maximum carrying capacity \_\_\_\_\_ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions \_\_\_\_\_

has there been any enlargement of the reservoir since it was first built\_\_\_\_\_, if so, give dates and describe\_\_\_\_\_

- [illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known \_\_\_\_\_

---

b. Do you get water through a ditch owned by several users? \_\_\_\_\_ If yes, give the name of the ditch  
\_\_\_\_\_. The other users and their respective  
interests in the ditch are (if known) \_\_\_\_\_

6. Where water is used for stock watering, give number of each kind of stock watered \_\_\_\_\_  
**500 cows ( 3 owners)**

7. Where water is used for domestic or municipal purposes give number of families served \_\_\_\_\_  
name of town supplied **Village of Hollister, Idaho.**

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,  
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,  
giving dates and quantities. **6 farms-6 business's--1 school 100 children-  
26 residence's. 1820 tanks water (1000 gal average to farms within  
15 miles) on a 10 yaer average.**

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with  
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

October 15, 1967.  
(Date)

**Village of Hollister, Idaho.**  
by LeRoy Mayo Chairman.  
(Signature of Claimant)

State of Idaho  
County of San Jace ss.

On this 15 day of October 1967, personally appeared before me the signer(s) of the  
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]  
Notary Public residing at Hollister Ida.

My commission expires Sept 15, 1969

For Department Use Only

| Received by                                    | Date                                     | Exception filed by: | Forwarded to claimant by: | Date             |
|------------------------------------------------|------------------------------------------|---------------------|---------------------------|------------------|
| <u>[Signature]</u>                             | <u>10-18-67</u>                          |                     |                           |                  |
| Prelim. check by <u>[Signature]</u>            | Date <u>10-23-67</u>                     | <u>[Signature]</u>  | <u>[Signature]</u>        | <u>12-14</u> 1-4 |
| Fee received by <u>[Signature]</u>             | Date <u>10-23-67</u> Fee \$ <u>10.00</u> | <u>[Signature]</u>  | <u>[Signature]</u>        | <u>12-14</u> 1-1 |
| Approved for publication by <u>[Signature]</u> | Date <u>11-21-67</u>                     | <u>[Signature]</u>  | <u>[Signature]</u>        | <u>12-14</u> 1-1 |
| Published in <u>[Signature]</u>                | Dates <u>11-30-67</u><br><u>12-7-67</u>  |                     |                           |                  |

**47 4900**

## INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

### Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

|                           |                       |         |                      |                             |
|---------------------------|-----------------------|---------|----------------------|-----------------------------|
| Date of priority claimed: | <u>May 18, 1871</u>   | amount: | <u>0.8</u> c.f.s. or | <u>          </u> acre feet |
|                           | <u>June 1, 1901</u>   | amount: | <u>0.4</u> c.f.s. or | <u>          </u> acre feet |
|                           | <u>Total claimed:</u> |         | <u>1.2</u> c.f.s. or | <u>          </u> acre feet |

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

HAROLD WM. MERRITT  
CIVIL ENGINEER  
TWIN FALLS, IDAHO

REGISTERED - IDAHO, NEVADA, WASHINGTON

JANUARY, 30, 1941

Village of Hollister,  
Hollister, Idaho.

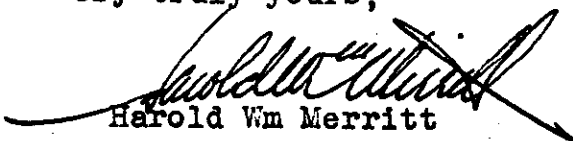
Gentlemen:-

Following is the data on flow of the wells Southeast of town, being the source of your municipal supply. This report shows the present flow measured on this date as compared with measurements dated May, 21, 1937.

| <u>LOCATION</u>     | <u>1937</u> | <u>1941</u> |
|---------------------|-------------|-------------|
| TOTAL OF BOTH WELLS | 21.5 in.    | 19.6 in.    |
| N.W. WELL AT INTAKE | 10.65 in.   | 9.9 in.     |

This data is recorded in my field books Nos. 37 and 46 in case future reference may be necessary.

Very truly yours,

  
Harold Wm Merritt

HWM/M

47 4000

Twin Falls, Idaho,  
April 24, 1952.

Village of Hollister,  
Attention:  
Mr. M. P. Corak, Chairman

APR 13 1952

Dear Sir:

The flow of water of the village  
wells as measured by me on April 20, 1952  
was 14.8 inches.

Yours truly,



P. B. Wilson,  
Civil Engineer.

Twin Falls, Idaho

June 3, 1945

Village of Hollister  
Hollister, Idaho

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JUN 18 1967

Department of the Interior

Dear Sir;

Measurments of water in Hollister wells, June 1, 1945  
were as follows:

Upper and lower wells combined measured 18 in.

Lower wells measured, 11 in. with the upper well shut off.

The above measurments were taken between 1:30 and 2:30 P, M.  
over a 90 degree notched weir.

Very truly yours,

*J. S. Diffendarfer*  
J.S. Diffendarfer

Hollister, Idaho

July 31<sup>st</sup> 1946

Results of 90° Notch Weir

on Two City Wells South

East of Hollister, Idaho

5 1/4" over 90° Notch

Weir = 16.25 Miners

Inches of Water

Measurements Taken at

3:40 PM July 31<sup>st</sup> 1946

Weather Hot and Dry

J. S. Giffen

RECEIVED

DEPT.

State of Idaho  
Department of Reclamation  
107 State House  
Boise, Idaho 83701

|           |            |     |           |                 |
|-----------|------------|-----|-----------|-----------------|
| Nov 30 67 | 27 Lines # | .15 | . . . . . | \$4.05          |
| Dec 7 67  | 27 " @     | .10 | . . . . . | 2.70            |
|           |            |     |           | <u>        </u> |
|           |            |     | Total     | \$6.75          |

[illegible]

# INVOICE



# Affidavit of Publication

No 12997

STATE OF IDAHO,  
COUNTY OF TWIN FALLS } ss.

I, John H. Higgins, being first duly sworn upon

oath depose and say that I am John H. Higgins 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 three consecutive issues, commencing with the issue dated January 16, 1927, and ending with the issue dated January 18, 1927.

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.

Subscribed and sworn to before me this 17th day of

19 27

John H. Higgins  
Notary Public in and for the County of Twin Falls,  
State of Idaho, residing at Twin Falls, Idaho.

NOTICE OF CLAIM TO A WATER  
Right is hereby claimed that the  
water in the stream known as the  
Twin Falls River, in the County of  
Twin Falls, Idaho, and a right  
to a water right, including any  
diversion and application of water  
for municipal use of 40 (cubic feet per second)  
of water from a subterranean  
source with point of diversion in the  
E1/4SW1/4, Sec. 27, T. 33 S., R. 10 E.,  
E.M.: the water is claimed to be  
used for municipal use from January  
to December 31 and for stock water  
purposes from April 1 to November  
30, with a priority of May 10, 1922  
(40 cfs.); the place of use is the  
Village of Hollister and vicinity.  
Any exception to this claim of  
water right may be filed with the  
Department of Reclamation.  
R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Times-News,  
Twin Falls, Idaho, on November 30  
and Dec. 7, 1927.

RECEIVED  
DEC 20 1967  
STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

BEFORE THE STATE RECLAMATION ENGINEER  
FOR THE STATE OF IDAHO

IN THE MATTER OF CLAIM OF )  
WATER RIGHT NO. 47-4001 BY ) EXCEPTION TO CLAIM  
THE VILLAGE OF HOLLISTER, )  
TWIN FALLS COUNTY, IDAHO. )

STATE OF IDAHO )  
County of Twin Falls ) ss.

NORRIS JONES, being first duly sworn on oath, deposes and says:

That he is an uncle of Ora Jones and Oran Jones, the principal officers of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That your affiant is 62 years of age, was born, raised, and during the majority of his life has farmed on the Jones Corporation farm.

That your affiant has personal knowledge that the Village of Hollister has diverted no more than a maximum of .30 c/f/s of water total from the Village's wells located in the E 1/2 SW 1/4 of Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho, and the NW 1/4 NE 1/4 of Section 12, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho, since 1940.

Norris Jones  
Norris Jones

STATE OF IDAHO )  
County of Twin Falls ) ss.

NORRIS JONES, being first duly sworn on oath, says:

That he has read the above and foregoing Exception to Claim, knows the contents thereof, and believes the facts stated therein to be true.

Norris Jones  
Norris Jones

SUBSCRIBED and SWORN to before me this 26<sup>th</sup> day of December, 1967.

James A. Ruskelt  
Notary Public for Idaho  
Residing at Twin Falls, Idaho  
47 4000

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DEC 28 1957

Department of Reclamation

BEFORE THE STATE RECLAMATION ENGINEER  
FOR THE STATE OF IDAHO

IN THE MATTER OF CLAIM OF )  
WATER RIGHT NO. 47-4001 BY ) EXCEPTION TO CLAIM  
THE VILLAGE OF HOLLISTER, )  
TWIN FALLS COUNTY, IDAHO. )

STATE OF IDAHO )  
County of Twin Falls ) ss.

ORA JONES, being first duly sworn on oath, deposes and says:

That he is the Secretary of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That the Jones Corporation is an incorporated farming enterprise which irrigates in excess of 500 acres, most of which land is located within Sections 1, 2, 11, and 12 of Township 13 South, Range 16 East, Boise Meridian.

That the Village of Hollister has, through the years, met their water needs by diversion of .20 to .30 c/f/s total of water from their wells which have points of diversion in the E 1/2 SW 1/4 of Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho, and the NW 1/4 NE 1/4 of Section 12, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho.

That your affiant is 50 years old, has lived on the Jones Ranch all of his life, and has personal knowledge that the Village of Hollister has diverted no more than a total of .30 c/f/s of water from the sources recited in the above paragraph by which they presently claim under claims of water rights No. 47-4000 and 47-4001.

That the Jones family owned and acquired by purchase certain subterranean water rights, which wells have earlier priorities and are located within the same aquifer as the Village of Hollister wells in the E 1/2 SW 1/4, Section 1, Township 13 South, Range 16 East, Boise Meridian,

1 Twin Falls County, Idaho, and in the NW 1/4 NE 1/4 of Section 12, Township  
2 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho; that by  
3 reason of the fact that the Village of Hollister has not diverted in excess of  
4 .30 c/f/s of water from all of their wells within this aquifer since 1940, they  
5 have abandoned any claim to an amount of water in excess of .30 c/f/s of  
6 water; that a diversion of more than .30 c/f/s of water would constitute  
7 interference with the existing water rights of the Jones Corporation.

8 That your affiant has personal knowledge that a certain amount of  
9 the water diverted from the well of the Village of Hollister from this source  
10 is stored by the Village of Hollister and sold for profit to ranchers in south  
11 central Idaho and northern Nevada and is not beneficially used by residents  
12 of the Village of Hollister.

13  
14 Ora W. Jones  
Ora Jones, Secretary  
Jones Corporation

15 STATE OF IDAHO )  
16 County of Twin Falls ) ss.

17 ORA JONES, being first duly sworn on oath, says:

18 That he is the Secretary of the Jones Corporation; that he has read  
19 the above and foregoing Exception to Claim, knows the contents thereof, and  
20 believes the facts stated therein to be true.

21  
22 Ora W. Jones  
Ora Jones

23 SUBSCRIBED and SWORN to before me this 26th day of  
24 December, 1967.

25  
26 Thomas A. Rasholt  
Notary Public for Idaho  
Residing at Twin Falls, Idaho

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DEC 23 1967

Department of Reclamation

BEFORE THE STATE RECLAMATION ENGINEER  
FOR THE STATE OF IDAHO

IN THE MATTER OF CLAIM OF  
WATER RIGHT NO. 47-4001 BY  
THE VILLAGE OF HOLLISTER,  
TWIN FALLS COUNTY, IDAHO.

EXCEPTION TO CLAIM

STATE OF IDAHO )  
County of Twin Falls ) SS,

ORAN JONES, being first duly sworn on oath, deposes and says:

That he is the President of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That the Jones Corporation is an incorporated farming enterprise which irrigates in excess of 500 acres, most of which land is located within Sections 1, 2, 11, and 12 of Township 13 South, Range 16 East, Boise Meridian.

That the Village of Hollister has, through the years, met their water needs by diversion of .20 to .30 c/f/s total of water from their wells which have points of diversion in the E 1/2 SW 1/4 of Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho, and the NW 1/4 NE 1/4 of Section 12, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho.

That your affiant is 50 years old, has lived on the Jones Ranch all of his life, and has personal knowledge that the Village of Hollister has diverted no more than a total of .30 c/f/s of water from the sources recited in the above paragraph by which they presently claim under claims of water rights No. 47-4000 and 47-4001.

That the Jones family owned and acquired by purchase certain subterranean water rights, which wells have earlier priorities and are located within the same aquifer as the Village of Hollister wells in the E 1/2 SW 1/4, Section 1, Township 13 South, Range 16 East, Boise Meridian,

1 Twin Falls County, Idaho, and in the NW 1/4 NE 1/4 of Section 12, Township  
2 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho; that by  
3 reason of the fact that the Village of Hollister has not diverted in excess of  
4 .30 c/f/s of water from all of their wells within this aquifer since 1940, they  
5 have abandoned any claim to an amount of water in excess of .30 c/f/s of  
6 water; that a diversion of more than .30 c/f/s of water would constitute  
7 interference with the existing water rights of the Jones Corporation.

8 That your affiant has personal knowledge that a certain amount of  
9 the water diverted from the well of the Village of Hollister from this source  
10 is stored by the Village of Hollister and sold for profit to ranchers in south  
11 central Idaho and northern Nevada and is not beneficially used by residents  
12 of the Village of Hollister.

13 Oran Jones  
14 Oran Jones, President  
Jones Corporation

15 STATE OF IDAHO )  
16 County of Twin Falls ) ss.

17 ORAN JONES, being first duly sworn on oath, says:

18 That he is the President of the Jones Corporation; that he has read  
19 the above and foregoing Exception to Claim, knows the contents thereof, and  
20 believes the facts stated therein to be true.

21 Oran Jones  
22 Oran Jones

23 SUBSCRIBED and SWORN to before me this 26<sup>th</sup> day of  
24 December, 1967.

25 Tom A. Rachalt  
26 Notary Public for Idaho  
27 Residing at Twin Falls, Idaho  
28  
29  
30  
31  
32

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE  
(208) 733-3722

R. P. PARRY  
T. M. ROBERTSON  
JOHN H. DALY  
BERT LARSON  
C. G. MCINTYRE  
JOHN R. COLEMAN  
THOMAS G. NELSON  
JOHN A. ROSHOLT  
FRED D. DECKER  
CRAIG H. NEILSEN

December 11, 1967

Mr. R. Keith Higginson  
State Reclamation Engineer  
Idaho Department of Reclamation  
State House  
Boise, Idaho

Re: Claim No. 47-4000, Village of Hollister

Dear Keith:

Find enclosed three exceptions to the claim of the Village of Hollister to more than .30 c/f/s of water from the point of diversion described.

I would request that these exceptions be officially filed in the claim file.

Sincerely,

  
JOHN A. ROSHOLT

JAR:dp

Enclosures

RECEIVED

DEC 12 1967

Department of Reclamation

47 4000

BEFORE THE STATE RECLAMATION ENGINEER

FOR THE STATE OF IDAHO

In the Matter of )

CLAIM OF WATER RIGHT NO. 47-4000 )  
BY THE VILLAGE OF HOLLISTER, )  
TWIN FALLS COUNTY, IDAHO. )

EXCEPTION TO CLAIM

STATE OF IDAHO )

County of Twin Falls )

ss.

ORAN JONES, being first duly sworn on oath, deposes and says:

That he is the President of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That the Jones Corporation is an incorporated farming enterprise which irrigates in excess of 500 acres, most of which land is located within Sections 1, 2, 11, and 12 of Township 13 South, Range 16 East, Boise Meridian.

That the Village of Hollister has, through the years, met their water needs by diversion of .20 to .30 c/f/s of water from their well which has a point of diversion in the E 1/2 SW 1/4 of Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho.

That your affiant is 50 years old, has lived on the Jones Ranch all his life, and has personal knowledge that the Village of Hollister has diverted no more than .30 c/f/s of water from this source at any time since the year 1940.

That the Jones family owned and acquired by purchase certain subterranean water rights, which wells have earlier priorities and are located within the same aquifer as is the Village of Hollister well in the E 1/2 SW 1/4, Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho; that by reason of the fact that the Village of Hollister has not diverted in excess of .30 c/f/s of water from the source since 1940, they have abandoned any claim to an amount of water in excess of .30 c/f/s; that a diversion of more than .30 c/f/s would constitute interference with the existing water rights of the Jones Corporation.

That your affiant has personal knowledge that a certain amount of the water diverted from the well of the Village of Hollister from this source is stored by the Village of Hollister and sold for profit to ranchers in south central Idaho and northern Nevada and is not beneficially used by residents of the Village of Hollister.

Oran Jones  
Oran Jones, President  
Jones Corporation

STATE OF IDAHO                    )  
                                          )       ss.  
County of Twin Falls            )

ORAN JONES, being first duly sworn on oath, says:

That he is the President of the Jones Corporation; that he has read the above and foregoing Exception to Claim, knows the contents thereof, and believes the facts stated therein to be true.

e. Oran Jones

SUBSCRIBED and SWORN to before me this 11th day of

December, 1967.

John A. Rosholt  
Notary Public for Idaho  
Residing at:

Residing at:

Twin Falls

BEFORE THE STATE RECLAMATION ENGINEER  
FOR THE STATE OF IDAHO

In the Matter of )  
 )  
CLAIM OF WATER RIGHT NO. 47-4000 ) EXCEPTION TO CLAIM  
BY THE VILLAGE OF HOLLISTER, )  
TWIN FALLS COUNTY, IDAHO. )

STATE OF IDAHO )  
 ) ss.  
County of Twin Falls )

ORA JONES, being first duly sworn on oath, deposes and says:

That he is the Secretary of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That the Jones Corporation is an incorporated farming enterprise which irrigates in excess of 500 acres, most of which land is located within Sections 1, 2, 11, and 12 of Township 13 South, Range 16 East, Boise Meridian.

That the Village of Hollister has, through the years, met their water needs by diversion of .20 to .30 c/f/s of water from their well which has a point of diversion in the E 1/2 SW 1/4 of Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho.

That your affiant is 50 years old, has lived on the Jones Ranch all his life, and has personal knowledge that the Village of Hollister has diverted no more than .30 c/f/s of water from this source at any time since the year 1940.

That the Jones family owned and acquired by purchase certain subterranean water rights, which wells have earlier priorities and are located within the same aquifer as is the Village of Hollister well in the E 1/2 SW 1/4, Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho; that by reason of the fact that the Village of Hollister has not diverted in excess of .30 c/f/s of water from the source since 1940, they have abandoned any claim to an amount of water in excess of .30 c/f/s; that a diversion of more than .30 c/f/s would constitute interference with the existing water rights of the Jones Corporation.

BEFORE THE STATE RECLAMATION ENGINEER  
FOR THE STATE OF IDAHO

In the Matter of )

CLAIM OF WATER RIGHT NO. 47-4000 )  
BY THE VILLAGE OF HOLLISTER, )  
TWIN FALLS COUNTY, IDAHO. )

EXCEPTION TO CLAIM

STATE OF IDAHO )

County of Twin Falls )

ss.

NORRIS JONES, being first duly sworn on oath, deposes and says:

That he is an uncle of Ora Jones and Oran Jones, the principal officers of the Jones Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Twin Falls County, Idaho.

That your affiant is 62 years of age, was born, raised, and during the majority of his life has farmed on the Jones Corporation farm.

That your affiant has personal knowledge that the Village of Hollister has diverted no more than a maximum of .30 c/f/s of water from the Village's well located in the E 1/2 SW 1/4, Section 1, Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho, since 1940.

Norris Jones  
Norris Jones

STATE OF IDAHO )

County of Twin Falls )

ss.

NORRIS JONES, being first duly sworn on oath, says:

That he has read the above and foregoing Exception to Claim, knows the contents thereof, and believes the facts stated therein to be true.

Norris Jones  
Norris Jones

SUBSCRIBED and SWORN to before me this 11th day of

December, 1967.

John A. Rachelt  
Notary Public for Idaho  
Residing at:

Twin Falls

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That your affiant has personal knowledge that a certain amount of the water diverted from the well of the Village of Hollister from this source is stored by the Village of Hollister and sold for profit to ranchers in south central Idaho and northern Nevada and is not beneficially used by residents of the Village of Hollister.

Ora Jones  
Ora Jones, Secretary  
Jones Corporation

STATE OF IDAHO            )  
                                  )    ss.  
County of Twin Falls    )

ORA JONES, being first duly sworn on oath, says:

That he is the Secretary of the Jones Corporation; that he has read the above and foregoing Exception to Claim, knows the contents thereof, and believes the facts stated therein to be true.

Ora Jones  
Ora Jones  
SUBSCRIBED and SWORN to before me this 11th day of December, 1961.

Thomas A. Rosholt  
Notary Public for Idaho  
Residing at:

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 4, 1968

Re: Claim No. 47-4001 and 47-4000  
Village of Hollister

John A. Rosholt  
Parry, Robertson & Daly, Lawyers  
Fidelity Bank Building  
P. O. Box 525  
Twin Falls, Idaho 83301

Dear Mr. Rosholt:

We are in receipt of your letter of December 27, 1967 and the exceptions to the above referenced claims. Please be advised that copies of the exception have been forwarded to the Village of Hollister and that the exceptions have been made a part of Claims No. 47-4001, and 47-4000.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

SCANNED

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47 4000

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 4, 1968

Re: Claim No. 47-4001 and 47-4000

Village of Hollister  
Route #1  
Twin Falls, Idaho

Gentlemen:

Enclosed is a copy of an exception filed in connection with your claims numbered 47-4001 and 47-4000. Please be advised that the original exception has been filed and made a part of the claims.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

Enclosure: Copy of exception

47 4000

December 14, 1967

Re: Claim No. 47-4000

Village of Hollister  
Route #1  
Twin Falls, Idaho 83301

Gentlemen:

Enclosed please find copies of three exceptions filed in connection with your claim to a water right. The exceptions have been filed by John Jones, Jones Corporation; President; Morris Jones, Jones Corporation; and Ora Jones, Jones Corporation Secretary. Please be advised that the exceptions will be filed in your claim folder and will remain on record. No future action is pending on your claim at this time.

Also enclosed is Receipt No. 34089 for your \$10.00 filing fee. Due to our error, the receipt was not enclosed in our letter of December 13, 1967. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowney  
Water Rights Clerk

DWM:ks

Enclosures: Copies of protest  
Receipt for \$10.00

47 4000

December 14, 1967

Re: Claim No. 47-4000  
Village of Hollister

John A. Rosholt  
Parry, Robertson & Daly  
Lawyers  
Fidelity Bank Building  
P. O. Box 525  
Twin Falls, Idaho 83301

Dear Mr. Rosholt:

We are in receipt of your letter of December 11, 1967 on the above referenced claim. Please be advised that copies of the three exceptions have been forwarded to the claimant. Your exceptions have been entered in Claim No. 47-4000 as a matter of record. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElDowney  
Water Rights Clerk

DWM:ks

Enc

47 4000

December 13, 1967

Re: Claim No. 47-4000

Village of Hollister  
Route #1  
Twin Falls, Idaho 83301

Gentlemen:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 47-4000.

Enclosed is your receipt for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElDowney  
Water Rights Clerk

DWM:ks

Enclosure: Receipt No. 4089 for \$10.00

47 4000

RECEIVED

NOV 27 1967

Department of Reclamation

NOTICE OF CLAIM TO A WATER  
RIGHT

No. 47-4000

Notice is hereby given that the Village of Hollister, Route No. 4, Twin Falls, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 40 (cubic feet per second) of water from a subterranean source with point of diversion in the E. 1/4, Sec. 1, T. 10 S. R. 16 E. B.M.; the water is claimed to be used for municipal use from January 1 to December 31 and for stock water purposes from April 1 to November 1 with a priority of May 10, 1922 (40 c.f.s.); the place of use is the Village of Hollister and vicinity.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer  
Published in the Times-News,  
Twin Falls, Idaho, on November 20  
and Dec. 7, 1967.

47 4000

November 21, 1967

Re: Claim No. 47-4000

Times News  
Twin Falls,  
Idaho

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 date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid. (Do not sign this letter)

---

Signature of claimant

Very truly yours,

Donald W. McElDowney  
Water Rights Clerk

DWM:ks

Enclosures: legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 47-4000

Notice is hereby given that the Village of Hollister, Route #1, Twin Falls, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .40 (cubic feet per second) (~~acre feet~~) of water from a subterranean source with point of diversion in the E<sub>1</sub>SW<sub>4</sub>, Sec. 1, T. 13 S, R. 16 E, B.M.; the water is claimed to be used for municipal use from January 1 to December 31 and for stock water purposes from April 1 to November 1 with a priority of May 10, 1922 (.40 c.f.s.); the place of use is the Village of Hollister and vicinity.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Times News, Twin Falls, Idaho, on November 30 and December 7.

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DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

October 31, 1967

Re: Claim form #47-4000

LeRoy Mayo, Chairman  
Village of Hollister  
Rdute #1  
Twin Falls, Idaho 83301

Dear Mr. Mayo:

The Department of Reclamation is in receipt of your claim to a water right filed in connection with a flowing well for the Village of Hollister. Your claim to a water right has stated a priority of May 10, 1922, in the amount of .40 cubic feet per second. We assume that the total should have been entered as .40 cubic feet per second. If this is correct as the total amount of water claimed under this form, please advise this department so that we may enter the correct total.

Under question 3b, you have listed the use of the water under the claim as municipal and the period of use as "May 10, 1922 to now." The purpose for this part of the claim is to list the period during each year that the water is used. Therefore, we assume that your municipal use would be for a full year, such as January 1 to December 31. Please instruct the Department of Reclamation as to what should be entered in this blank.

It is also noted that under item 6 of the claim, you have listed that you water 500 head of cattle. You should be advised that this use could not be included under the municipal aspects. Therefore, you should direct the Department of Reclamation to enter a stock watering use, and the period of each year that the water is used.

Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in dark ink, reading "Donald W. McEldowney".

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

47 4000

October 31, 1967

Re: Claim Form #47-4000

LeRoy Mayo, Chairman  
Village of Hollister  
Route #1  
Twin Falls, Idaho 83301

Dear Mr. Mayo:

The Department of Reclamation is in receipt of your claim to a water right filed in connection with a flowing well for the Village of Hollister. Your claim to a water right has stated a priority of May 10, 1922, in the amount of .40 cubic feet per second. We assume that the total should have been entered was .40. If this is correct as the total amount of water claimed under this form, please advise this department so that we may enter the correct total.

Under question 3b, you have listed the use of the water under the claim as municipal and the period of use as "May 10, 1922 to now." The purpose for this part of the claim is to list the period during each year that the water is used. Therefore, we assume that your municipal use would be for a full year, such as January 1 to December 31. Please instruct the Department of Reclamation as to what should be entered in this blank.

It is also noted that under item 6 of the claim, you have listed that you water 500 head of cattle. You should be advised that this use could not be included under the municipal aspects. Therefore, you should direct the Department of Reclamation to enter a stock watering use, and the period of each year that the water is used.

Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

Donald W. McElowney  
Water Rights Clerk

DWM:ks