

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04385  
Date Received: 7/26/1989  
Receipt No: C008553  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: NEAL MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

AND/OR

Name: BETTY MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

2. Date of Priority: JUN 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 07S      | 35E   | 8       | SW     | SE     |        |     | BANNOCK |

5. Description of diverting works:  
WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020  |      |        |
| COMMERCIAL | 01/01 | 12/31 | 0.050  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.050  |      |        |

7. Total Quantity Appropriated is:  
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/10 RANGE CATTLE, D/3 HOMES, C/SERVICE STATION

A29-04385

Page 1

Date: 11/15/89

MICROFILMED

NOV 13 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 07S           | 35E   | 8       | SW     | SE  |     | IRR | 1.0   |
| Section Acres |       |         |        |     |     |     | 1.0   |
| Total Acres   |       |         |        |     |     |     | 1.0   |

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04385  
Date Received: 7/26/1989  
Receipt No: COO8553  
Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: NEAL MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

AND/OR

Name: BETTY MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

2. Date of Priority: JUN 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 35E   | 8       | SW     | SE     |     |     | BANNOCK |

5. Description of diverting works:  
WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

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| COMMERCIAL | 01/01 | 12/31 | 0.050  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.050  |      |        |

7. Total Quantity Appropriated is:  
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

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S/10 RANGE CATTLE, D/3 HOMES, C/SERVICE STATION

A29-04385

Page 1

Date: NOV 26 1989

NOV 13 1989

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 07S           | 35E   | 8       | SW SE      |     | IRR | 1.0   |
| Section Acres |       |         |            |     |     | 1.0   |
| Total Acres   |       |         |            |     |     | 1.0   |

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: *None*

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W. Neal Wang Date: 7-26-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 26<sup>th</sup> day  
of July 19 89 Helen Harrington  
Notary Public

Seal

Residing at Helen Harrington, Notary Public  
Residing at Boise, Idaho  
My Commission Expires December 1, 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04385  
Date Received: 7/26/1989  
Receipt No: C008553  
Received By: Ka

RECEIVED  
JUL 26 1989

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name ~~Department of Water Resources~~ NEAL MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

AND/OR

Name: BETTY MAAG 208-384-1635  
Address: 4520 KOOTENAI  
BOISE, ID 83705

2. Date of Priority: JUN 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
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5. Description of diverting works:  
WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| COMMERCIAL | 01/01 | 12/31 | 0.050 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.050 |      |        |

7. Total Quantity Appropriated is:  
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/10 RANGE CATTLE, D/3 HOMES, C/SERVICE STATION

A29-04385

Page 1

Date: 07/26/89

MICROFILMED  
NOV 13 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 07S           | 35E   | 8       | SW SE      |     | IRR | 1.0   |
| Section Acres |       |         |            |     |     | 1.0   |
| Total Acres   |       |         |            |     |     | 1.0   |

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: *None*

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W. Neal Wang Date: 7-26-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 26<sup>th</sup> day

of July 19 89

Seal

Helen Harrington  
Notary Public

Residing at Helen Harrington, Notary Public  
Residing at Boise, Idaho  
My Commission Expires December 1, 1994

05/17/01

Dear Cheri -

I didn't have this  
enclosed info with me  
when I wrote the 1995  
letter (you sent a copy  
to us.) and didn't remember  
the facts correctly - so  
(IDWR)  
Hope you have your  
1948 recording for  
Marvin or Art Trabar.

RECEIVED

MAY 21 2001

Department of Water Resources  
Eastern Region

Thanks,

Betty &amp; Neal Maag

Well drilled: *Maximum of 11*  
of the well driller who drilled the well, if a report was filed with IDWR.

4. ***Pump test records.***

5. ***Sales receipts*** for equipment or materials used in the water system.

6. ***Records*** of the person or business who sold, installed, or constructed the diversion works.

7. ***Electric bills*** for electric powered diversion equipment.

8. ***Homestead documents for irrigation claims, patent documentation for mining claims or other documentation indicating use of water during the acquisition of government land.*** These may be of record at the county recorder's office for the county in which the land is located. These should also be of record with the National Archives, although there are often delays in obtaining copies. The address and phone number of the National Archives are:

8th and Pennsylvania Ave., N.W.  
Washington, D.C., 20408  
202-523-3006

9. ***Aerial photography.*** Information on available aerial photography can be obtained from the U.S. Geological Survey at the following address and phone number:

U.S. Geological Survey  
EROS Data Center  
User Services Section  
Sioux Falls, South Dakota 57198  
605-594-6151

**WHAT IF I AM UNABLE TO OBTAIN ANY OF THE SOURCES LISTED ABOVE?**

IF YOU CANNOT furnish some proof such as the examples listed above, you may submit your own testimony, in the form of an affidavit (a letter signed by the you and notarized), which explains the basis for the year of priority claimed. The letter should include a statement of the claimant's personal knowledge of the water use, but may also include information the claimant obtained from others.

**DOCUMENTS WHICH ARE NOT SUFFICIENT EVIDENCE OF THE PRIORITY DATE CLAIMED**

1. **STATUTORY CLAIMS** filed pursuant to Idaho Code 42-243. In the late 1970's, legislation was enacted that required persons with beneficial use rights to register them with IDWR. These "claims" were declarations of the water right owners, and were not investigated or verified. Notices of claims in the SRBA are different, because they will be investigated and verified, resulting in a decree that confirms the water right and properly describes it.

The statutory claim may be evidence of a water right claimed in the SRBA if the times and quantities of use claimed in the SRBA are substantially the same as they were on the statutory claim. **EVEN THEN**, the statutory claim is evidence of

April 11, 2001

29-04385  
NEAL MAAG  
BETTY MAGG  
4520 KOOTENAI  
BOISE, ID 83705

RE: PRIORITY EVIDENCE

Dear Neal and Betty,

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA).

I have been reviewing your file and found the evidence of priority you submitted on 3/29/1995. I have enclosed a copy of this affidavit for your convenience. **This letter supports a priority date of 1973 based on your directly knowledge of the water use.** Idaho Code, Statute 42-229 states that any use of water from a groundwater source beginning after March 25, 1936 must be perfected by application permit and license procedure.

What this means is in order to make a favorable recommendation for your claim, **you need to provide evidence of beneficial use prior to March 25, 1963.**

In the affidavit you provided for Evidence of Priority you stated, *"We were told that Marvin Tabar drilled the well about 1948."* I would encourage you to get an affidavit from the person that gave you that information. Another option would be to get affidavits from local residents in the area that had first hand knowledge of water use at least prior to March 25, 1963.

Please feel free to contact me at (208) 525-7161 if you have any questions. You may also contact an Adjudication Agent in the Boise office of IDWR at (208) 327-7900 if that is more convenient.

Respectfully Yours,

Craig L. Saxton  
Water Resource Agent  
Adjudication Bureau

Enclosure:    Brochure on "Evidence of Priority"  
                  Notice of Claim 29-04385  
                  Priority Evidence Affidavit

Log for claim A29-04385

Spatial Dynamics BTD

9/6/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|---------|-----|------|------------------|----------------|--------------------------------|
| 07s35e  | 8   | SWSE | 1                | 30             | POD placement? / Indiscernible |
| Totals: |     |      | 1                | 30             |                                |

4/5/01 - Priority of 1973 -

NO Well logs Available. CK microfilm = NOPE 4/10/01

NO other Rights

5/22/01 accept Priority Evidence

AJ5809NP  
No. A29-04385

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00  
PAGE: 210

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | NEAL MAAG      | 06/01/1948       | IRRIGATION | 03-15 11-15           | 0.030 CFS         |                     |
| C                | BETTY MAAG     |                  | STOCKWATER | 01-01 12-31           | 0.020 CFS         |                     |
|                  | 4520 KOOTENAI  |                  | COMMERCIAL | 01-01 12-31           | 0.050 CFS         |                     |
|                  | BOISE ID 83705 |                  | DOMESTIC   | 01-01 12-31           | 0.050 CFS         |                     |
|                  | (208) 384-1635 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 0.050 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S08 SWSE BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE          |     |   |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |     |     |
|-------------|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|
| T           | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :   | SUM |
| 07S         | 35E | 8 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |     |
|             |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 01  | 1.0 |
| TOTAL ACRES |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0 |     |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/10 RANGE CATTLE, D/3 HOMES, C/SERVICE STATION

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 03/26/1985 Objection Filed Date:

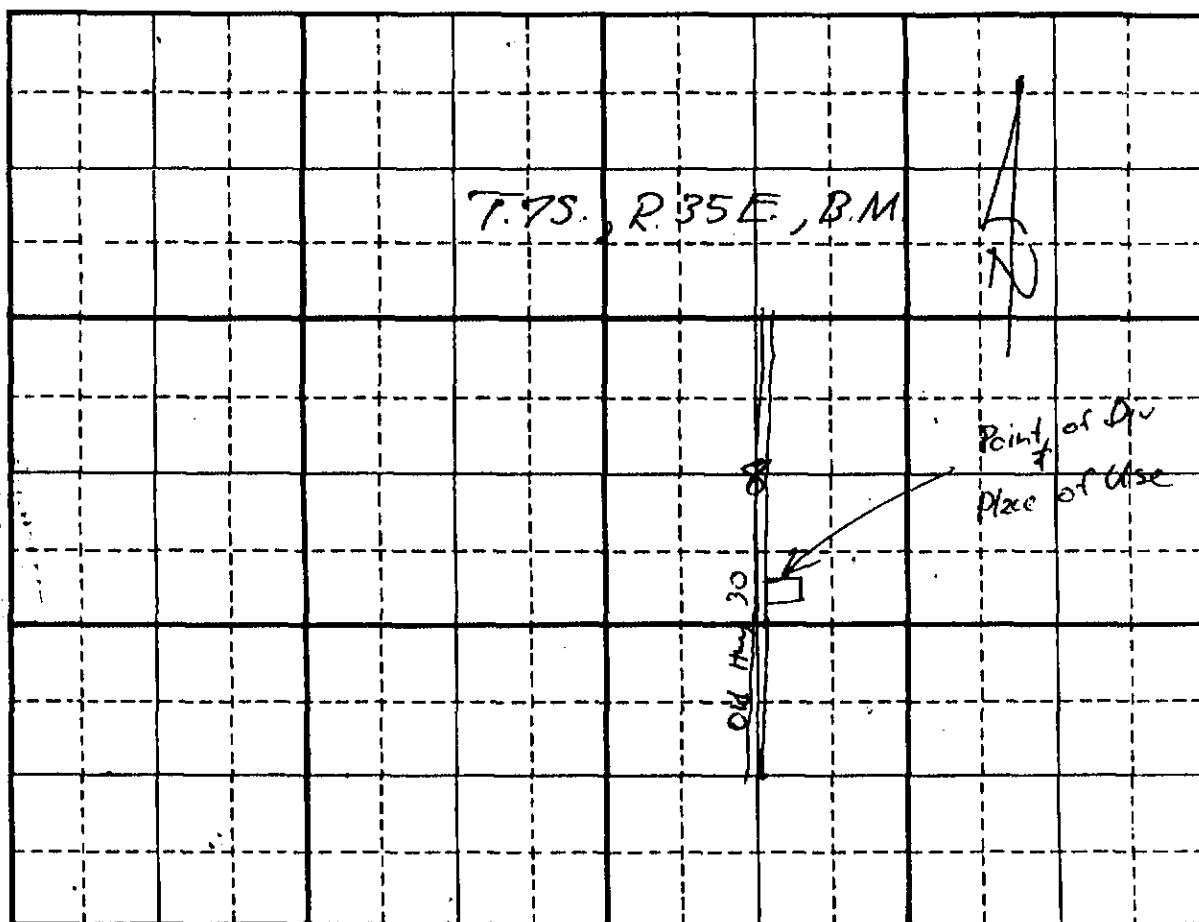
Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 07/26/89 HARRINGT 11/15/89 MOBILE2 03/29/95 POST-STD

**The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.**

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

(B) Remarks Commercial Use presently not being used.



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 Custer ) 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.

Sworn to before me this 20 day of June 19 83

\* Betty Macey  
(Claimant)  
Linda Reyer  
Notary Public  
Residing at Challis, Idaho

My commission expires Continues

FOR DEPARTMENT USE ONLY

Received by CW Date 6-21-83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JGM Date 6-24-83 claimant by: \_\_\_\_\_  
\$30.00 fee received by CW Date 6-27-83  
Published in Idaho St. Journal # 32634  
Dates 7/31 - 7/28/83

AFFIDAVIT EXPLAINING BASIS FOR THE YEAR OF PRIORITY CLAIMED

RE: REQUEST FOR A PERMIT TO APP. WATER NO. A29-04385  
3/29/95

DEAR SIRs,

WE WERE TOLD THAT MARVIN TRABAR DRILLED THE WELL ABOUT 1948 FOR BILL CHILDS  
SERVICE STATION MAYB HE FILED A REPORT WITH YOUR AGENCY?

WE BOUGHT THE PROPERTY FROM BILL CHILD IN 1973, AND BILL MOVED TO TEXAS  
WITH HIS DAUGHTER AND DIED THERE.

IDAHO POWER MIGHT HAVE A RECORD OF BILL CHILD GETTING POWER IN 1948. BUT  
NO, THEY SAY 6 YEARS BACK IS ALL THEY KEEP.

ENCLOSED: 12 ITEMS FROM OUR RECORDS OF CORRESPONDENCE WITH YOU SINCE 1981

NEAL AND BETTY MAAG

*Neal Maag  
Betty Maag*

STATE OF IDAHO, COUNTY OF \_\_\_\_\_

On this 29 day of March, 1995  
before me, a notary public in and for said State, personally  
appeared Betty Maag  
known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me  
that she executed the same.

Brenda J. Junt  
Notary Public

Residing at Boise, Idaho \_\_\_\_\_

Comm. Expires 12-12-96

MICROFILMED

NOV 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

10

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

DATE: JAN. 3, 1995

A29-04385  
NEAL MAAG  
BETTY MAAG  
4520 KOOTENAI  
BOISE

ID 83705

**EVIDENCE OF PRIORITY**

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication(SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on BENEFICIAL USE. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is know as the PRIORITY DATE, has not been confimed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the PRIORITY DATE.

For your reference, I have provided a printout of your Notice of claim and the pamphlet EVIDENCE OF PRIORITY. The pamphlet suggests which documents will fulfill this requirement.

The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson  
Water Right Agent, Adjudications

MICROFILMED

NOV 13 1995

16.

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

MICROFILMED  
NOV 13 1988

AJ5809NP  
N6 A29-04385

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94  
PAGE: 9

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | NEAL MAAG      | 06/01/1948       | IRRIGATION | 03-15 11-15           | 0.03 CFS          |                     |
| C                | BETTY MAAG     |                  | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
|                  | 4520 KOOTENAI  |                  | COMMERCIAL | 01-01 12-31           | 0.05 CFS          |                     |
|                  | BOISE ID 83705 |                  | DOMESTIC   | 01-01 12-31           | 0.05 CFS          |                     |
|                  | (208) 384-1635 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 0.05 CFS          |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S08

SWSE

BANNOCK County

Place of use Legal Description for: IRRIGATION

|             |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     |     |
|-------------|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|
| T           | R   | S |   | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac  | SUM |
| 07S         | 35E | 8 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |     |
|             |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 01  | 1.0 |
| TOTAL ACRES |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0 |     |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/10 RANGE CATTLE, D/3 HOMES, C/SERVICE STATION

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 03/26/1985

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

NOV 13 1994  
MICROFILMED

RECEIPT  
For Monies Paid  
to the  
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 0008553

Date: 07/26/89  
Time: 12:24:48

**Received**

**From:** MAAG, W. NEAL/BETTY

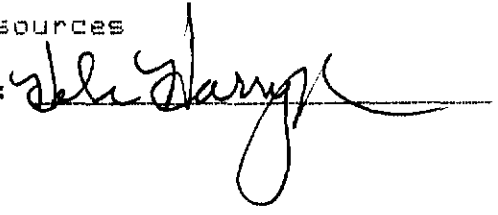
| Type of Payment        | Program Acct Class | Amount          |
|------------------------|--------------------|-----------------|
| ADJUDICATION FEE       | 0410162 9337 6490  | \$81.00         |
| APPLICATION FOR PERMIT | 0610199 1238 6390  | \$30.00         |
| <b>Total</b>           |                    | <b>\$111.00</b> |

CHECK 1554

WR/NO: A29-04385

Idaho Department of Water Resources

Region: STATE

Signature: 

MICROFILMED

NOV 13 1989

5

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 8, 1983

NEAL MARG  
NEAL MARG  
BOX 205  
CHALLIE

ID 83226

RE: Claim No. 29-4385

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,

RONALD D. CARLSON  
Eastern Region Supervisor

MICROFILMED

NOV 13 1983

Enclosure

**Nº 30634**

RECEIVED  
FROM \_\_\_\_\_

**FOR**

*Wain*

..

3000

4

...

3

**TOTAL**

9

3000

Allen Wray

MICROFILM 15.

No. . . .

## CLAIM TO A WATER RIGHT

**The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.**

Neal Maag \$/or Betty Maag

Telephone No. 879-4403

(1) Date of priority: (When was the water first applied to a beneficial use) *June 1, 1948*

Groundwater

|                      |                                     | (Both dates inclusive)            |    |               |  |
|----------------------|-------------------------------------|-----------------------------------|----|---------------|--|
| (cfs. of)            | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day)                        |    | (Mo., Day)    |  |
| Quantity <u>0.05</u> | Use <u>Domestic</u>                 | Period of Use From <u>Jan. 1</u>  | To | <u>Dec 31</u> |  |
| Quantity <u>0.03</u> | Use <u>Irrigation</u>               | Period of Use From <u>Mar. 15</u> | To | <u>Nov 15</u> |  |
| Quantity <u>0.02</u> | Use <u>Stockwater</u>               | Period of Use From <u>Jan. 1</u>  | To | <u>Dec 31</u> |  |
| Quantity <u>0.05</u> | Use <u>Commercial</u>               | Period of Use From <u>Jan. 1</u>  | To | <u>Dec 31</u> |  |
| Quantity             | Use                                 | Period of Use From                | To |               |  |

(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]

No. of acres 1

b) If water is used for other than irrigation, fully describe the use: Domestic for three houses

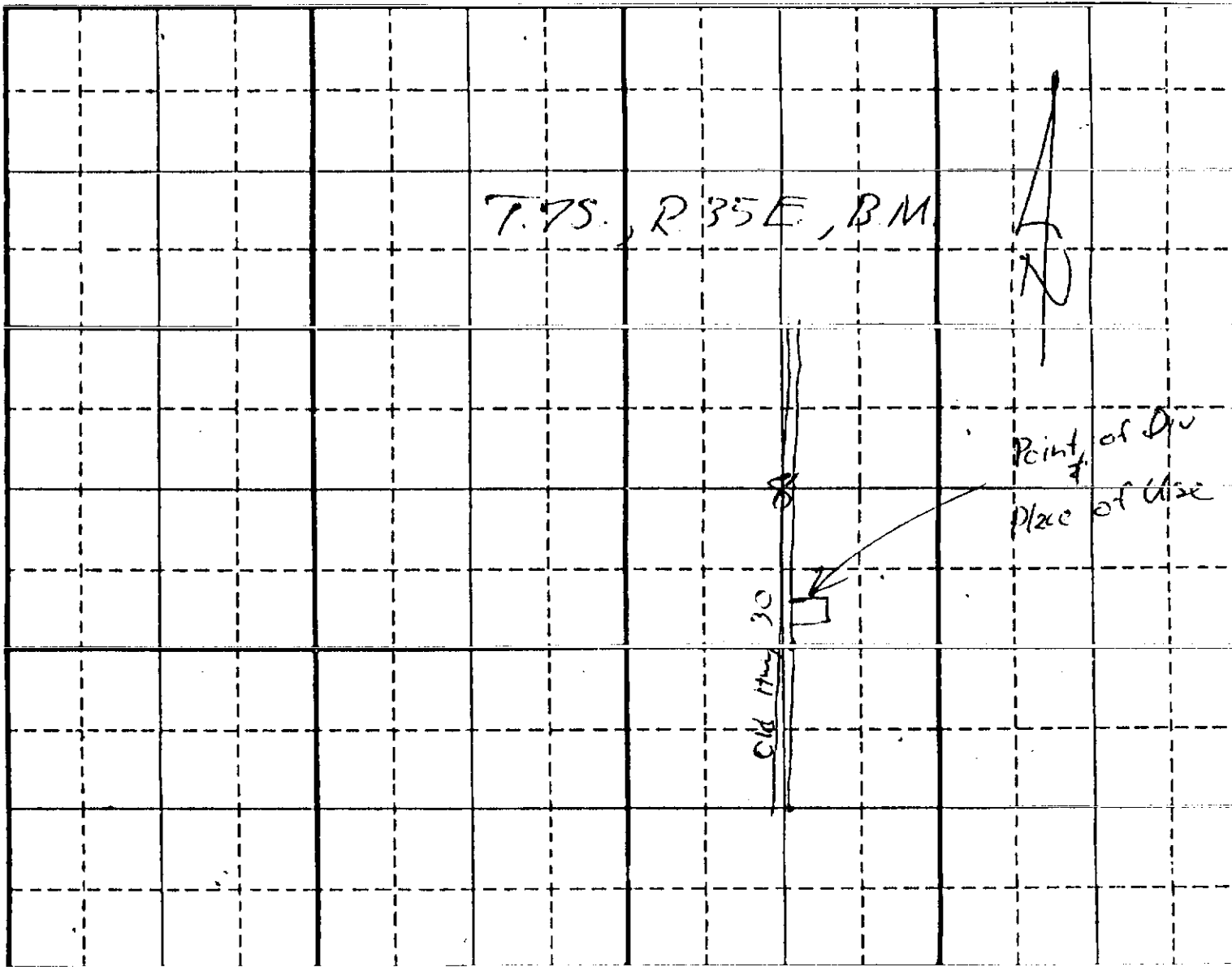
Commercial Use — Water for Service Station with toilets

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

10 range cattle

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

(8) Remarks Commercial Use presently not being used.



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 Custer

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.

Sworn to before me this 22 day of June

(Claimant)

19 83

Notary Public  
Residing at

My commission expires 1/28/83

FOR DEPARTMENT USE ONLY

Received by J. G. M.

Date 6/22/83

Exception filed by:

Forwarded to

Date

Prelim. check by J. G. M.

Date 6/22/83

claimant by:

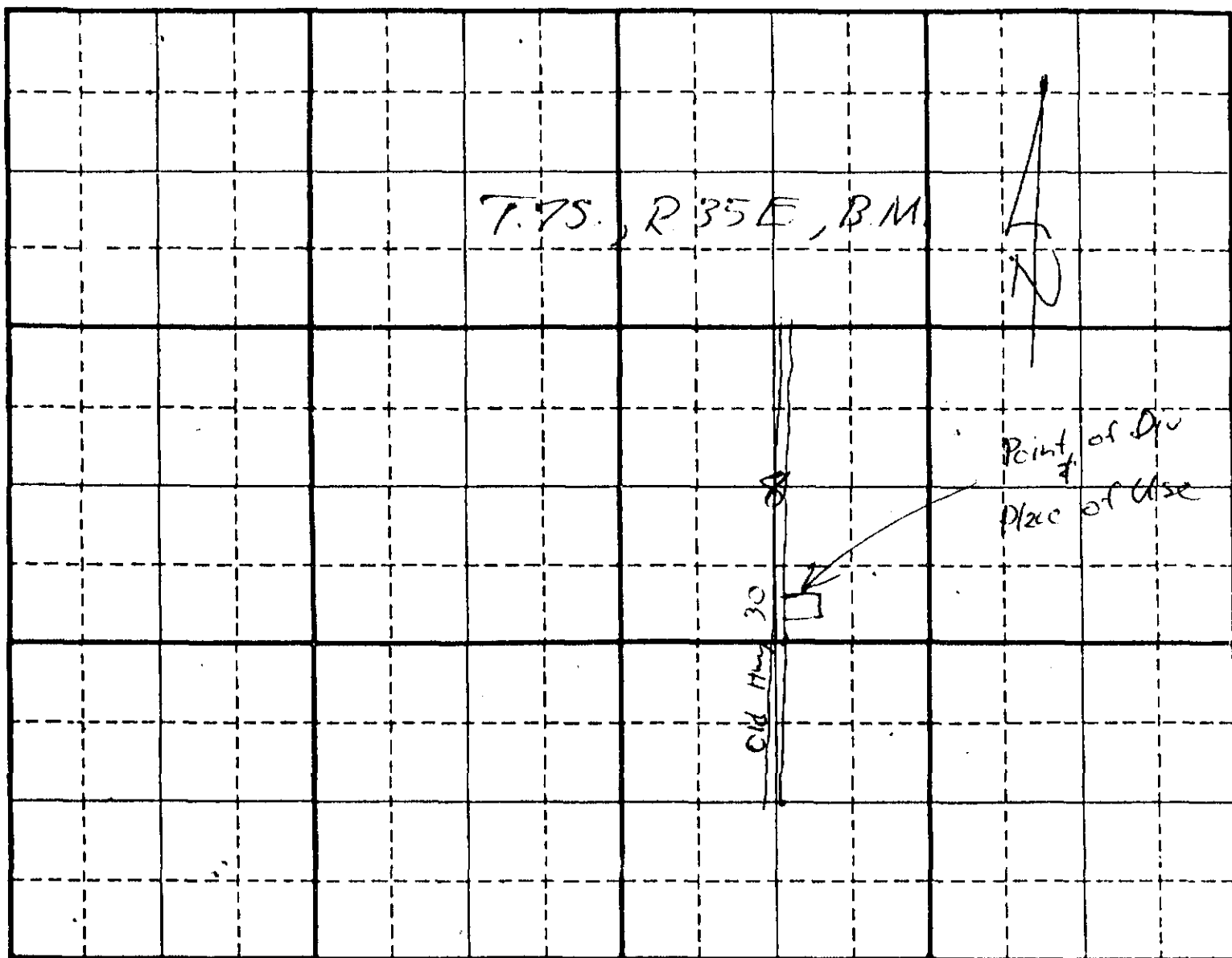
\$30.00 fee received by J. G. M.

Date 6/22/83

Published in Idaho St. Journal

Dates 7/21 - 7/28/83

(8) Remarks Commercial Use presently not being used.



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 Custer ) 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.

Sworn to before me this 20 day of June, 1983

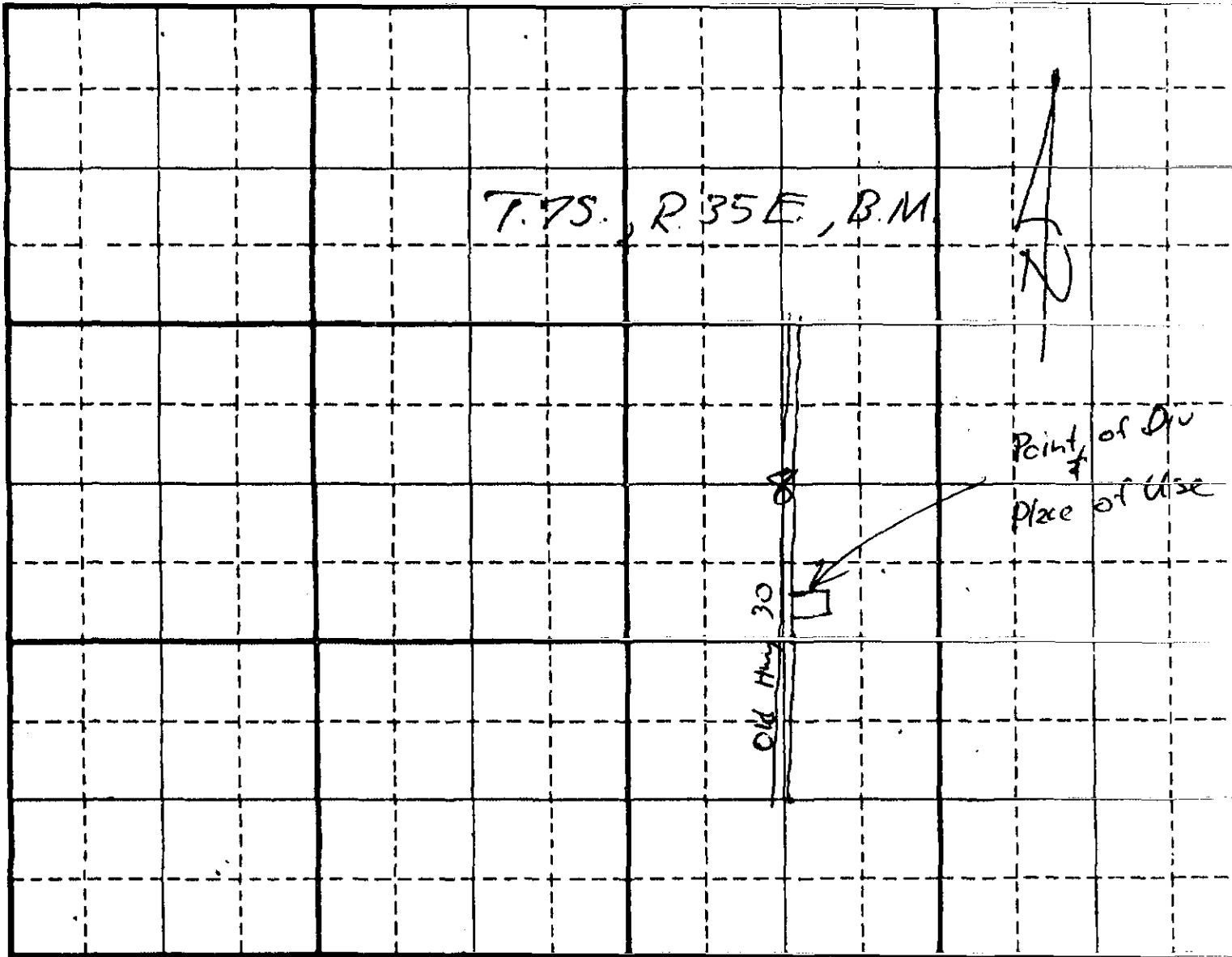
Orville May  
(Claimant)  
Donna R. R. R.  
Notary Public  
Residing at Chubb, Idaho

My commission expires Continues

FOR DEPARTMENT USE ONLY

Received by Donna R. R. R. Date 6/22/83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by Donna R. R. R. Date 6/22/83 Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_  
→ \$30.00 fee received by Donna R. R. R. Date 6/22/83  
Published in Idaho St Journal Dates 7/21 - 7/28/83

(8) Remarks Commercial Use presently not being used.



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 \_\_\_\_\_ ) 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.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\* \_\_\_\_\_  
(Claimant)

Notary Public  
Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

FOR DEPARTMENT USE ONLY

|                                 |            |                           |                    |            |
|---------------------------------|------------|---------------------------|--------------------|------------|
| Received by _____               | Date _____ | Exception filed by: _____ | Forwarded to _____ | Date _____ |
| Prelim. check by _____          | Date _____ |                           | claimant by: _____ |            |
| → \$30.00 fee received by _____ | Date _____ |                           |                    |            |
| Published in _____              |            |                           |                    |            |
| Dates _____                     |            |                           |                    |            |



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

IDAHO DEPT. OF WATER RESOURCES  
Eastern District Office  
150 State  
Boise, Idaho 83721

May 1, 1981

W. Neal Maag  
Box 205  
Challis, Idaho 83226

Dear Mr. Maag:

Pursuant to your letter of April 28, 1981, I have enclosed an "Idaho Water Rights Claims Program" brochure. In reviewing the brochure, you will notice that if your water right is already on file with the Department in the form of a valid permit, license or claim, there is no need for you to refile.

Feel free to contact this office should you have further questions.

Respectfully submitted,

*Ernest Carlson*

ERNEST M. CARLSEN  
Sr. Resource Analyst

EMC:brs

enc: claims brochure

MICROFILMED  
NOV 13 1981