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## STATE OF IDAHO DEPARTMENT OF WATER RESOURCES CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that Gerald Couch &/or Constance Couch  
(Name of Claimant)  
Rt. #1, Box 98, Malad City, Idaho (Mailing Address) Telephone No. 766-2603  
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) November 1, 1919

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
ground water tributary to \_\_\_\_\_

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				Period of Use From (Mo., Day)	To (Mo., Day)
<u>2.00 cfs</u>		<u>irrigation</u>		From <u>4/1</u>	To <u>11/1</u>
<u>6.00 AF</u>		<u>storage for irrig.</u>		From <u>1/1</u>	To <u>12/31</u>
<u>2.00 cfs</u>		<u>diversion to storage</u>		From <u>1/1</u>	To <u>12/31</u>
<u>6.00 AF</u>		<u>Irrigation from</u>		From <u>4/1</u>	To <u>11/1</u>
<u>2.00 cfs</u>		<u>storage</u>		From _____	To _____

(4) 2.00 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW 1/4 SE 1/4, Sec. 15 Twp. 15S Rge. 36E B.M., County of Oneida  
Additional points of diversion: NW 1/4 NE 1/4, Sec. 15, T. 15S, R. 36E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. artesian wells to small reservoir to 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	36E	15	10	20	20	32	20	20	40	40	20				16	20		16	274

No. of acres 274

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

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

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

**MICROFILMED**

MICROFILMED

FOR DEPARTMENT USE ONLY

Received by S.M. Kew Date 11-18-81  
 Prelim. check by Kew Date 12-1-81  
 \$20.00 fee received by S.M. Kew Date 11-18-81  
 Published in Idaho Enterprise #19166 Date 12-17-81  
 Dates 12-24-81

Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
 Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_

My commission expires 6/15/85

Notary Public Charles Wray Residing at Seabo Falls, Id.

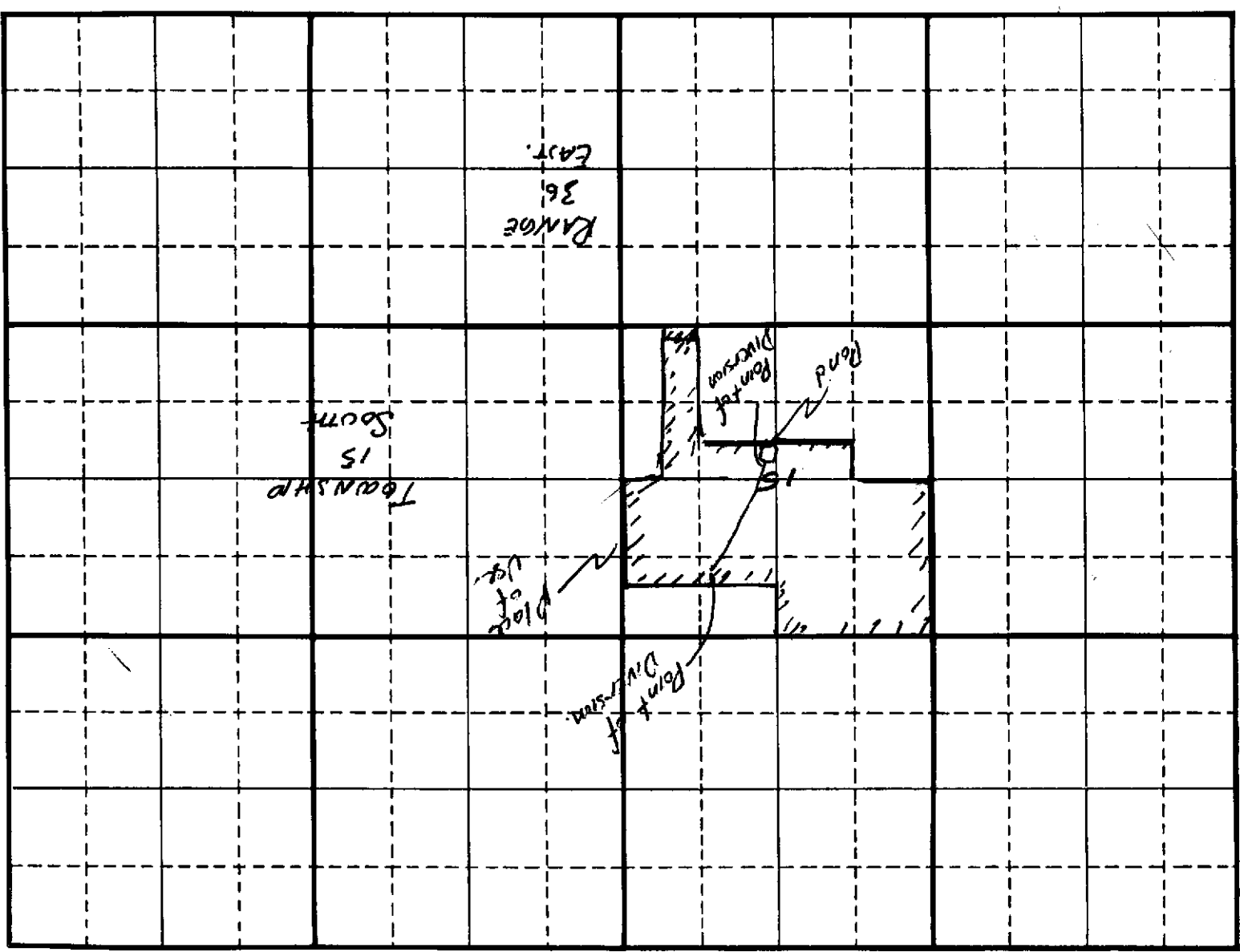
Sworn to before me this 18th day of November, 1981.  
 (Claimant) Harold Cook

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.

State of Idaho )  
 County of Jerome )  
 ) ss. )

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.

Scale: 2 inches equal 1 mile.



Remarks (8)

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Oneida } ss.

DEC 29 1981

Department of Water Resources  
Eastern District Office

Carole Hummel  
being duly sworn,  
deposes and says: That she is the owner of THE

IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with December 17, 1981, and ending with the issue of December 24, 1981

Carole Hummel

Fee \$ 45.10

Subscribed and sworn to before me this 29th day of December, 1981

Carole Hummel  
Notary Public, Residing at Malad, Idaho

My Commission Expires July 1982

NOTICE IS HEREBY GIVEN that the following claim to water right(s) have been established by diversion and application to beneficial use:

No. 15-4081  
COUCH, GERALD & OR  
CONSTANCE  
Rt. 1 Box 98, MALAD CITY, ID  
83252  
Source: WASTE WATER tribu-  
tary to SINKS  
Priority Date: 04-01-1885  
Amount: 1.00 CFS  
Diversion Point: NWNW Sec 15  
T 15S R 36E, ONEIDA Co.  
Use: IRRIGATION (1.00 CFS)  
from 04-01 to 11-01  
Place of Use: NENW NWNW  
SWNW SENW Sec 15 T 15S R 36E  
FOR 65 ACRES  
Diversion Means: DITCHES TO  
FLOOD IRRIGATION

No. 15-4079  
HILL, WILLIAM F.  
P.O. BOX 11, DOWNEY ID 83234  
Source: BIRCH CREEK tribu-  
tary to DEVIL CREEK  
Priority Date: 04-01-1965  
Amount: 1.00 CFS  
Diversion Point: SESE Sec 32 T  
13S R 36E, ONEIDA Co.  
Use: IRRIGATION (1.00 CFS)  
from 09-15 to 11-01  
Place of Use: SESE Sec 32 T 13S  
R 36E SWSW Sec 33 T 13S R 36E  
NENE NWNE Sec 05 T 14S R 36E  
NWNW Sec 04 T 14S R 36E FOR  
160 ACRES  
Diversion Means: CHECK  
GATE AND CATCH BASIN TO  
MAINLINE

No. 15-4080  
COUCH, GERALD & OR  
CONSTANCE  
Rt. 1 BOX 98, MALAD CITY, ID  
83252  
Source: GROUNDWATER  
Priority Date: 11-01-1919  
Amount: 2.00 CFS 6.0 AC-FT  
Diversion Point: NWSE NWNE  
Sec 15 T 15S 36E, ONEIDA Co.  
Use: IRRIGATION (2.00 CFS)  
from 04-01 to 11-01  
IRRIGATION STORAGE (6.0  
AC-FT) from 01-01 to 12-31  
IRRIGATION FROM  
STORAGE (6.0 AC-FT) from  
04-01 to 11-01  
DIVERSION TO STORAGE  
(2.00 CFS) from 01-01 to 12-31  
Place of Use: NENE NWNW  
SWNE SENE NENW NWNW  
SWNW SENW NESW NESE  
NWSE SESE Sec 15 T 15S R 36E  
FOR 274 ACRES  
Diversion Means: ARTESIAN  
WELLS TO RESERVOIR  
Any exception to any claim of  
water right may be filed with the  
Director of the Idaho Depart-  
ment of Water Resources, 150  
Shoup Ave., Idaho Falls, Idaho  
83402.

A. KENNETH DUNN  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JANUARY 4, 1982

GERALD COUCH  
CONSTANCE COUCH  
RT. 1 BOX 98  
MALAD CITY

ID 83252

RE: Claim No. 15-4080

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

**RECEIVED**

JAN 08 1982

Department of Water Resources

Enclosure

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number 15 4080 Applicant Gerald & / or Constance Couch  
15-4080

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- Name and address.
- Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- Source.
- Quantity, use, period. Storage in cfs?
- Point(s) of diversion. Not on map
- Location of use.
- Signature/notarization/fee.

*1-04-82*

FINAL REGIONAL PROCESSING REVIEW:

- Affidavit of publication received.
- Claim published correctly.
- Exceptions processed.

By Ernest Carlson Date Jan 5, 1982

STATE OFFICE PROCESSING:

- Claim review complete.

By KW Date 1/11/82

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

15-4080

COUCH, GERALD &/or CONSTANCE

RT. 1 BOX 98. MALAD CITY, ID 83252

Source: GROUNDWATER

Priority Date: 11/01/1919

Amount: 2.00 CFS 6.0 AC-FT

Diversion Point: NWSE NWNE Sec 15 T 15S R 36E, ONEIDA Co.

Use: IRRIGATION	(2.00 CFS)	from 04/01 to 11/01
IRRIGATION STORAGE	(6.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(6.0 AC-FT)	from 04/01 to 11/01
DIVERSION TO STORAGE	(2.00 CFS)	from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NESE NWSE SESE  
Sec 15 T 15S R 36E FOR 274 ACRES

Diversion Means: ARTESIAN WELLS TO RESERVOIR

