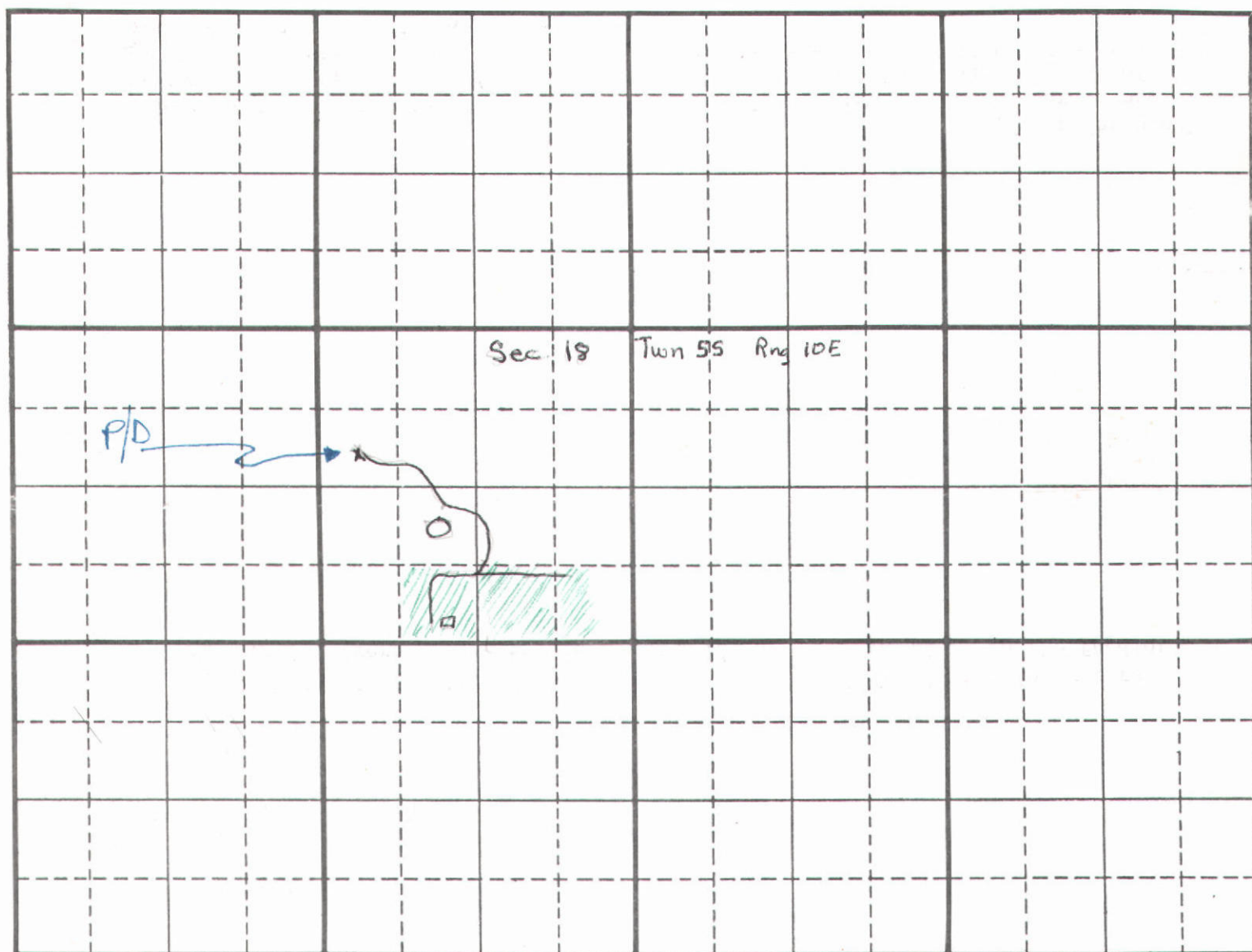


(8) Remarks Robert Parmley applied for this water on March 3, 1923 (Application No. 22360), and completed works under permit No. 15709 in March 1928. The water has been in beneficial use by him, his heirs and myself since 1923 or before.



Scale: 2 inches equal 1 mile.

X Spring Diversion
○ Feedlot
□ Farmstead
Irrigated lands

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 Elmore) 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.

Garlene R. Viner
Richard P. Viner
(Claimant)

Sworn to before me this 12 day of March, 19 81.

LaRue L. Brumby
Notary Public
Residing at Elmore, Idaho

My commission expires 5-2-84

FOR DEPARTMENT USE ONLY

Received by RA Date 3-13-81 Exception filed by: _____ Date _____
Prelim. check by RA Date 3/12/81 Forwarded to claimant by: _____
\$30.00 fee received by RA Date 3-12-81 #18468
Published in Miner Home News _____
Dates 3/26 & 4/2/81 _____

RECEIVED

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 61-4038 in the name of Richard P. and Carlene R. Viner was published in error on 3/26 and 4/2/81.

The period of use for irrigation was advertised as being 4/1 to 11/1. WHEREAS, the actual period of use for irrigation is 1/1 to 12/31.

The place of use was also published in error as being within the SESW, SWSE, SESE, NWSW, Sec. 18, T 5S, R 10E. WHEREAS, the actual place of use is within the NESW, SESW, SWSE, SESE Sec. 18, T 5S, R 10E.

Any exception to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director

Published in the Mountain Home News on 4/23 and 4/30/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 23 day
of April, 1981, and
the last publication having been made on the
30 day of April,
1981; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 30th
day of April, 1981.

Calvin M. Waters
Notary Public

RECEIVED

MAY 4 1981

Department of Water Resources
Western Regional Office

MICROFILMED

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

61-4038

VINER, RICHARD P. &/or
CARLENER.

BOX 656, GLENNS FERRY, ID
83623

Source: SPRING tributary to LIT-
TLE CANYON CREEK

Priority Date: 03/03/1923

Amount: 1.00 CFS

Diversion Point: SWNW Sec 18 T
05S R 10E, ELMORE Co.

Use: IRRIGATION (0.92 CFS) from
04/01 to 11/01; STOCKWATER (0.04
CFS) from 01/01 to 12/31; DOMESTIC
(0.04 CFS) from 01/01 to 12/31

Place of Use: SESW SWSE SESE Sec
18 T 05S R 10E NWSW Sec 18 T 05S R
10E FOR 100 ACRES

Diversion Means: DITCH, PUMP &
PIPELINE.

61-4039

VINER, RICHARD P. &/or
CARLENER.

BOX 656, GLENNS FERRY, ID
83623

Source: SAND SPRING GULCH
tributary to LITTLE CANYON
CREEK

Priority Date: 06/01/1900

Amount: 1.00 CFS

Diversion Point: SWNW Sec 18 T
05S R 10E, ELMORE Co.

Use: IRRIGATION (0.92 CFS) from
04/01 to 11/01; DOMESTIC (0.04 CFS)
from 01/01 to 12/31; STOCKWATER
(0.04 CFS) from 01/01 to 12/31

Place of Use: NESW NWSW SWSE
Sec 18 T 05S R 10E NENW Sec 19 T
05S R 10E NWSW Sec 18 T 05S R 10E
FOR 160 ACRES

Diversion Means: DITCH, PUMP &
PIPELINE.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

C. STEPHEN ALLRED
Director

Published 3/26 & 4/2/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Vivian M. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 26 day

of March, 1981, and

the last publication having been made on the

2 day of April

1981; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this 2nd

day of April, 1981

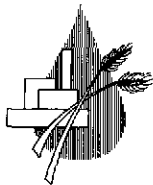
Coleen M. Date
Notary Public

RECEIVED
APR 6 1981

Department of Water Resources
Western Regional Office

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 Richard p. and Carlene R. Viner
(Name of Claimant)
Box 656, Glenns Ferry, Idaho 83623 Telephone No (208) 366-7920
(Mailing Address) (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) March 3, 1923

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)
unnamed Spring tributary to Little Canyon Creek

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

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.92 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.04 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1.0 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NW ¼, Sec. 18 Twp. 5S Rge. 10E B.M., County of Elmore
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. Describe any changes in the system and give the date of the change. Diversion is by ditch (approximately 1 mile long) for irrigation waters.
Stockwater is diverted from the ditch by a 1/2 hp pump and piped to the feedlot.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	17E	18									X			40X			40	20	100

No. of acres 100

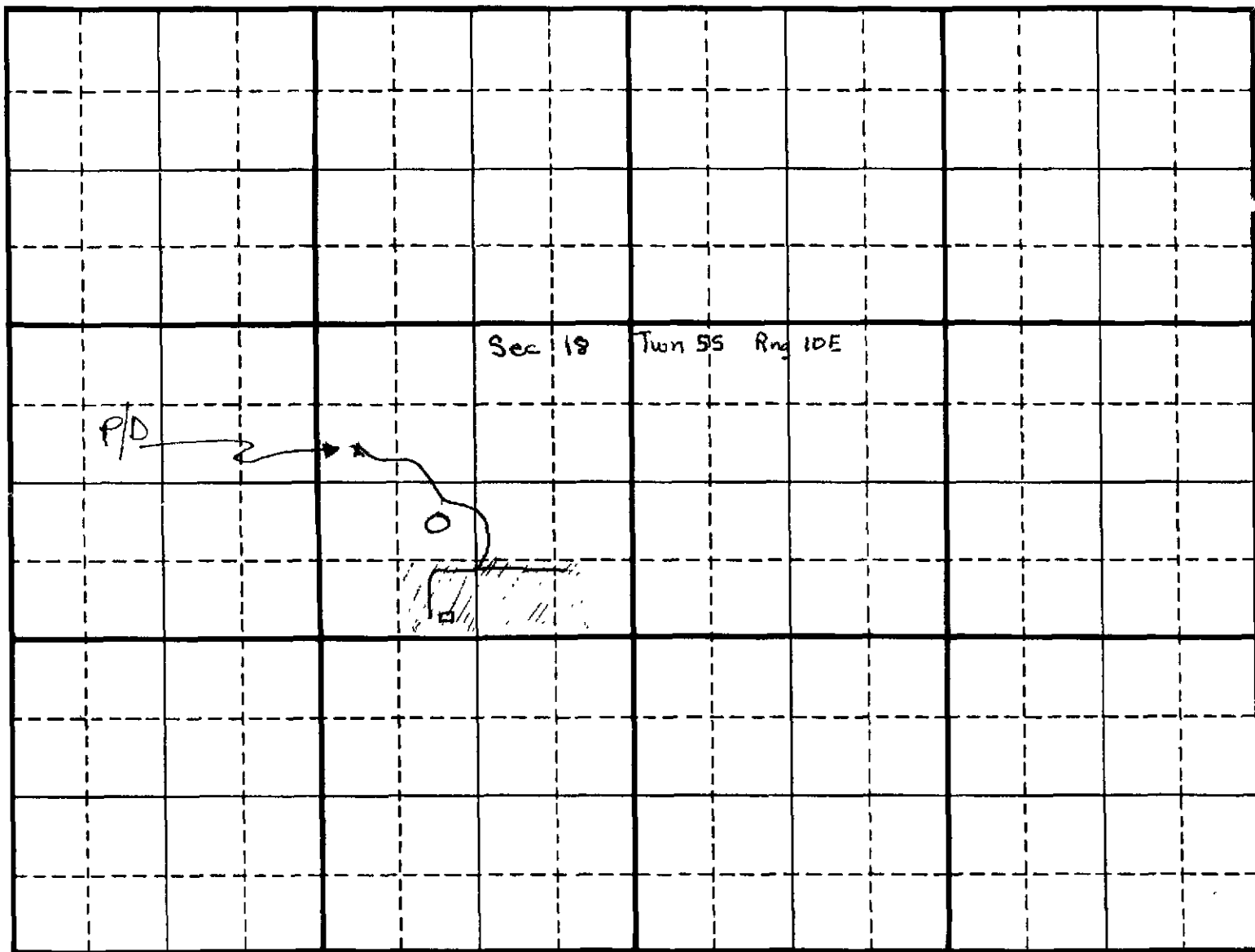
B) If water is used for other than irrigation, fully describe that use, being as specific as possible. Water for stock kept in a feedlot is diverted from the ditch and fed by water from the spring and Sand Spring Gulch. by a 1/2 hp pump. This water is used for about 300 head of cattle. Domestic water is used to irrigate the yard and garden of the farmstead and water about 10 head of stock kept there.

NOTE. Include here the type and number of stock watered: 300 cattle 10 horses

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

RECORDED

(8) Remarks Robert Parmley applied for this water on March 3, 1923 (Application No. 22360)
and completed works under permit No. 15709 in March 1928. The water has been in
beneficial use by him, his heirs and myself since 1923 or before.



Scale: 2 inches equal 1 mile.

X Spring Diversion
O Feedlot
□ Farmstead
Irrigated lands

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 Elmore) 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.

Garland R. Viner

(Claimant)

Sworn to before me this 12 day of March, 19 81.

Richard Bremner

Notary Public

Residing at Elmore, Idaho

My commission expires 5-2-84

FOR DEPARTMENT USE ONLY

Received by RA Date 3-13-81 Exception filed by RA Date 5/12/81
Preliminary check by RA Date 3/12/81
Fee received by RA Date 3-12-81 # 18468
Pushed in 3/26 & 4/2/81 Mon Home News

RECEIVED
MAY 5 1981
p/35

MAY 5 1981

ANDREW F JAMES
CECIL D HOBDEY
JOHN F VARIN

LAW OFFICES
JAMES, HOBDEY & VARIN
P O BOX 176
GOODING, IDAHO 83330
(208) 934-4429

Department of Water Resources
FAIRFIELD OFFICE
P O BOX 185
FAIRFIELD, IDAHO 83327
(208) 764-2251

May 4, 1981

Department of Water Resources
State of Idaho
450 West State Street
Boise, Idaho 83707

Gentlemen:

On behalf of Mr. and Mrs. Peter Batruel we enclose
herewith, in duplicate, Exceptions to Claim of Water Right,
61-4038 and to 61-4039.

Sincerely Yours,


Cecil D. Hobdey

CDH:bj

Enclosures

RECEIVED
MAY 6 1981

Department of Water Resources
Western Regional Office

MICROFILMED

DBS
197

[...]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF CLAIM TO A WATER)
RIGHT, 61-4038.)
)
)
)

EXCEPTION

STATE OF IDAHO)
) SS.
County of Gooding)

Mary M. Batruel, being first duly sworn, deposes and
says:

That affiant makes this affidavit on behalf of affiant's
husband, Peter Batruel, and affiant.

That this affidavit is executed as an exception to the
claim of water right, claim no. 61-4038, filed by Richard P. and
Carlene R. Viner.

Exception is made to the statement that the waters claimed
are from a spring. The waters emanating in the area described are
seepage waters which result from the impoundment of water in a holding
pond or reservoir owned by affiant and her husband.

That the maximum flow of water emanating from such seep-
age source is ten (10) inches.

That the amount of water emanating from said source is
grossly insufficient to irrigate the number of acres claimed in
paragraph 6 of said claim.

Mary M. Batruel

SUBSCRIBED AND SWORN to before me this 4th day of
May, 1981.

Deirdre M. Hickey
Notary Public for the State of
Idaho; Residing at: Gooding
Idaho.

RECEIVED
MAY 11 1981

MAY 1981

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF CLAIM TO A WATER)
RIGHT, 61-4038.)
)
)
)

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) SS.
County of Gooding)

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age source is ten (10) inches.

That the amount of water emanating from said source is
grossly insufficient to irrigate the number of acres claimed in
paragraph 6 of said claim.

Mary M. Batruel

SUBSCRIBED AND SWORN to before me this 4th day of
May, 1981.

Carol R. Viner
Notary Public for the State of
Idaho; Residing at: Butte
Idaho.

MICROFILMED

MAY 5 1981

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF CLAIM TO A WATER)
RIGHT, 61-4039.)
)
)
)

EXCEPTION

STATE OF IDAHO)
) SS.
County of Gooding)

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says:

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husband, Peter Batruel, and affiant.

That this affidavit is executed as an exception to the
claim of water right, claim no. 61-4039, filed by Richard P. and
Carlene R. Viner.

That Sand Springs Gulch is an intermittent stream with
flows varying from nothing to three (3) cfs, in flood stages.

That the rights to waters flowing in Sand Springs Gulch
are owned equally by claimant and the undersigned and have identi-
cal priority dates. Claimants are entitled to one cfs only and
solely on the condition that the entire flow in Sand Springs Gulch
is two cfs or greater.

Mary M. Batruel

SUBSCRIBED AND SWORN to before me this 4th day of
May, 1981.

Bevil D. Mahoney
Notary Public for the State of
Idaho; Residing at: Gooding
Idaho.

MICROFILMED

RECEIVED

MAY 5 1981

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF CLAIM TO A WATER)
RIGHT 61-4039.)

EXCEPTION

STATE OF IDAHO)
County of Gooding) SS.

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solely on the condition that the entire flow in Sand Springs Gulch
is two cfs or greater.

Mary M. Batruel

SUBSCRIBED AND SWORN to before me this 4th day of
May, 1981.

Richard P. Viner
Notary Public for the State of
Idaho; Residing at:
Idaho.

MICROFILMED

April 24, 1981

RECEIVED

APR 27 1981

Department of Water Resources
Western Regional Office

C. Stephen Allred.
Dept of Water Resources
92 South Main Street
Salt Lake City, UT 84103

Dear Mr. Allred:

We are opposed to the applications for Water
Rights No. 61-4038 in the name of Richard L and
Carolene L. Usher; Application No. 61-7267 in the
name of Paul and Mary Patricia Hill of Glenn Ferry,
Idaho

Richard W. and Virginia L. Anderson
P.O. Drawer 3
Glenn Ferry, Idaho, 83623

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 61-4038 in the name of Richard P. and Carlene R. Viner was published in error on 3/26 and 4/2/81.

The period of use for irrigation was advertised as being 4/1 to 11/1. WHEREAS, the actual period of use for irrigation is 1/1 to 12/31.

The place of use was also published in error as being within the SESW, SWSE, SESE, NWSW, Sec. 18, T 5S, R 10E. WHEREAS, the actual place of use is within the NESW, SESW, SWSE, SESE Sec. 18, T 5S, R 10E.

Any objection to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published in the Mountain Home News on 4/23 and 4/30/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 ... consecutive weeks, the first publica-

tion having been made on the 23... day

of April....., 1981., and

the last publication having been made on the

30..... day of April.....

19..81 ; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

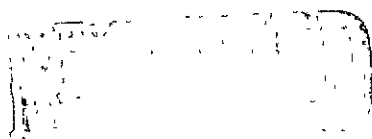
Floyd S. Waters

Subscribed and sworn to me this 30th...

day of April....., 1981..

Calvin M. Waters
Notary Public

MICROFILMED



Deposited in the Office of the
Notary Public for Idaho

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

61-4038

VINER, RICHARD P. &/or
CARLENER,
BOX 656, GLENNS FERRY, ID
83623

Source: SPRING tributary to LIT-
TLE CANYON CREEK

Priority Date: 03/03/1929

Amount: 1.00 CFS

Diversion Point: SWNW Sec. 18 T
05S R 10E, ELMORE Co.

Use: IRRIGATION (0.92 CFS) from
04/01 to 11/01; STOCKWATER (0.04
CFS) from 01/01 to 12/31; DOMESTIC
(0.04 CFS) from 01/01 to 12/31

Place of Use: SESE SWSE SESE Sec
18 T 05S R 10E NWSW Sec 18 T 05S R
10E FOR 100 ACRES

Diversion Means: DITCH, PUMP &
PIPELINE.

61-4039

VINER, RICHARD P. &/or
CARLENER,
BOX 656, GLENNS FERRY, ID
83623

Source: SAND SPRING GULCH
tributary to LITTLE CANYON
CREEK

Priority Date: 06/01/1900

Amount: 1.00 CFS

Diversion Point: SWNW Sec 18 T
05S R 10E, ELMORE Co.

Use: IRRIGATION (0.92 CFS) from
04/01 to 11/01; DOMESTIC (0.04 CFS)
from 01/01 to 12/31; STOCKWATER
(0.04 CFS) from 01/01 to 12/31

Place of Use: NESW NWSW SWSE
Sec 18 T 05S R 10E NENW Sec 19 T
05S R 10E NWSW Sec 18 T 05S R 10E
FOR 160 ACRES

Diversion Means: DITCH, PUMP &
PIPELINE.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

C. STEPHEN ALLRED
Director

Published 3/26 & 4/2/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Vivian M. Waters* do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the *24*... day
of *March*, 19*81*, and
the last publication having been made on the
.....*2*..... day of *April*.....
19*81*...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this *2nd*...
day of *April*, 19*81*.

Coleen M. Wade
Notary Public

RECEIVED
APR 6 1981

Department of Water Resources
Western Regional Office

3/19/81

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Len

Right Number 01-4038 Applicant viner

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.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW: len

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

By DBS Date 5/11/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 5/13/81

4-1-8067
61-
MICHAEL

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190
APRIL 15, 1981

RICHARD P. VINER
CARLENE R. VINER
BOX 656
GLENNS FERRY
ID 83623

RE: Claim No. 61-4038

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, IDHRO 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,

DAVID SHRM
Western Region Supervisor
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

May 7, 1981

RE: Claim to a Water Right No. 61-4038 & 61-4039
In the name of Richard P. and Carlene R. Viner
Exception filed on behalf of Mr. and Mrs. Peter Batruel

Cecil D. Hobdey
James, Hobdey & Varin
P.O. Box 176
Gooding, Idaho 83330

Dear Mr. Hobdey:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

/s/

DAVID B. SHAW
Western Regional Supervisor

DBS:h1h

U.S. DEPARTMENT OF AGRICULTURE
NATIONAL WATER RESEARCH INSTITUTE



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

May 7, 1981

RE: Claim to a Water Right No. 61-4038 & 61-4039
and exception filed by Mr. and Mrs. Peter Batrue

Richard P. and Carlene R. Viner
Box 656
Glenns Ferry, Idaho 83623

Dear Mr. and Mrs. Viner:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

14
DAVID B. SHAW
Western Regional Supervisor

DBS:hlh

Enclosure

MICROFILMED
7/1/81

NOTICE OF CORRECTION

Notice is hereby given that notice of Claim to a Water Right No. 61-4038 in the name of Richard P. and Carlene R. Viner was published in error on 3/26 and 4/2/81.

The period of use ~~for~~ irrigation was advertised as being 4/1 to 11/1. WHEREAS, the actual period of use for irrigation is 1/1 to 12/31.

The place of use was also published in error as being within the SESW, SWSE, SESE, NWSW, Sec. 18, T 58, R 10E, WHEREAS, the actual place of use is within the NESW, SESW, SWSE, SESE, Sec. 18, T 58, R 10E.

Any exception to this claim of water right may be filed with the Director of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published in the Mountain Home News on 4/23 and 4/30/81.

4/23/81



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

April 29, 1981

RE: Claim to a Water Right No. 61-4038
In the name of Richard P. and Carlene R. Viner

Richard W. and Georgia L. Anderson
P.O. Drawer Z
Glenns Ferry, Idaho, 83623

Dear Mr. and Mrs. Anderson:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:hlh

RECEIVED
MAY 1 1981
MAY 1 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

April 29, 1981

RE: Claim to a Water Right No. 61-4038
and exception filed by Richard W. and Georgia L. Anderson

Richard W. and Carlene Viner
P.O. Box 656
Glenns Ferry, Idaho 83623

Dear Mr. and Mrs. Viner:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:hlh

Enclosure

RECEIVED
MAY 1 1981
MAY 1 1981

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 3/26 & 4/2/81.

MICROFILMED

VINER, RICHARD P. &/or CARLENE R.

BOX 656, GLENN'S FERRY, ID 83623

Source: SPRING tributary to LITTLE CANYON CREEK

Priority Date: 03/03/1923

Amount: 1.00 CFS

Diversion Point: SNNW Sec 18 T 05S R 10E, ELMORE Co.

Use: IRRIGATION	(0.92 CFS)	from 04/01 to 11/01
STOCKWATER	(0.04 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SESW SWSE SESE Sec 18 T 05S R 10E NWSW Sec 18 T 05S R 10E
FOR 100 ACRES

Diversion Means: DITCH, PUMP & PIPELINE.

MICROFILMED
1977