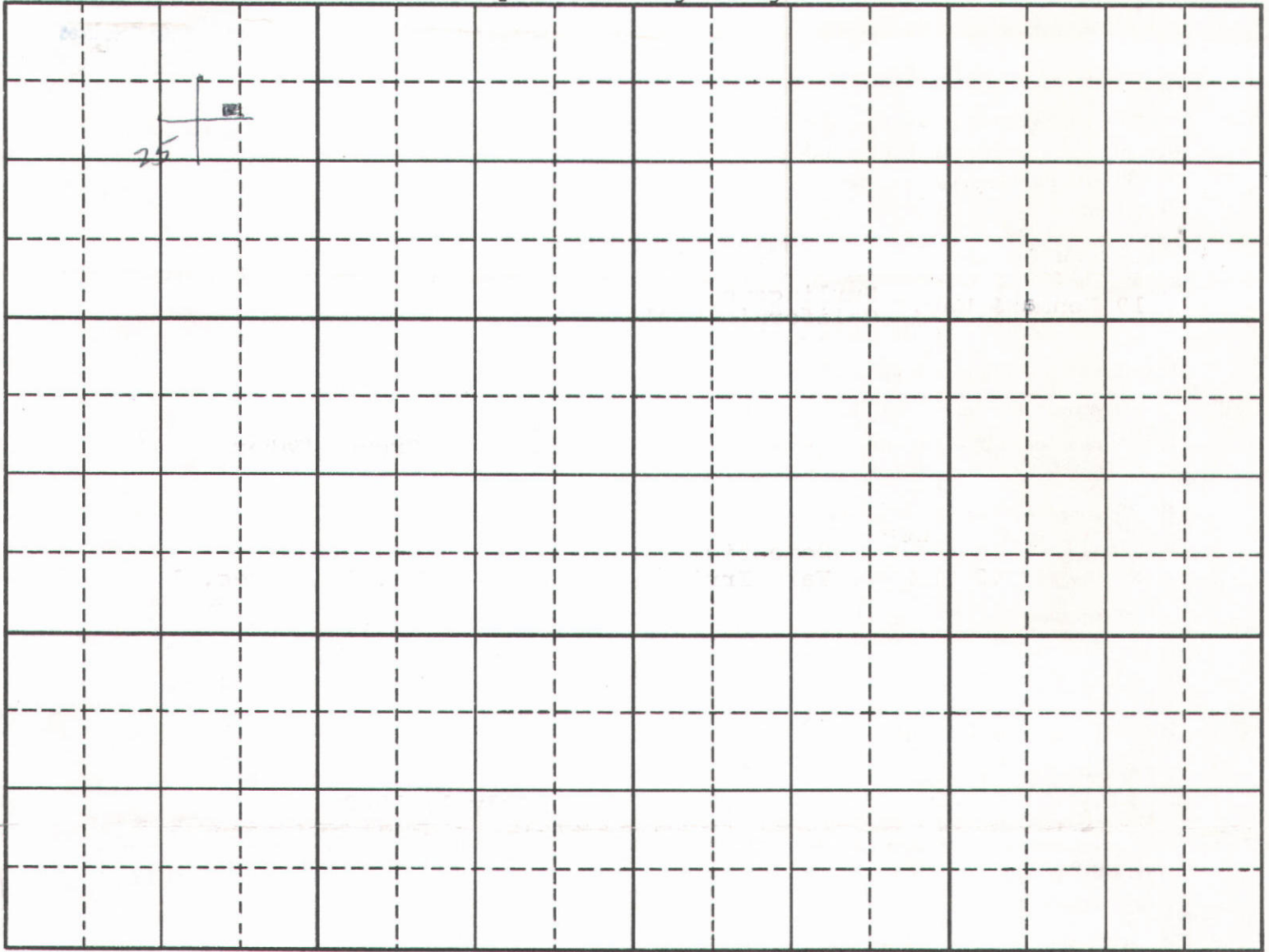


Land upon which water is used is described as follows:

- (8) Remarks Commencing 526 feet South of the Northeast corner of
the Southwest Quarter of the Northeast Quarter of Section Twenty-five,
Township Three South, Range Six East, Boise Meridian, and running thence
West 247.5 feet; thence South 131 feet; thence East 247.5 feet; thence
North 131 feet to the point of beginning.



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 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 affiants knowledge.

Sworn to before me this 19th day of January

Edward E. Tuttle
(Claimant)

Notary Public

Residing at Mo. Home, Idaho

My commission expires lifetime

For Department Use Only

Received by <u>BK</u>	Date <u>1-30-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>1-30-78</u>		claimant by:	
\$10.00 fee received by <u>Y</u>	Date <u>1-30-78</u>	# <u>9755</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Mo. Home News</u>				
Dates <u>2-9-78 + 2-16-78</u>				

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 61-4028**

Notice is hereby given that Edward E. Tueller 19 Kenmar Way Burlingame, CA 94010 has filed a claim to a water right established by diversion and application to beneficial use of 42 gallons per minute of water from a ground-water source with the point of diversion in the SW¹/₄ NE¹/₄ Sec 25 T3S-R6E B.M. County of Elmore.

The water is claimed to be used from March 1 to December 1 for domestic and yard irrigation purposes with a priority date of July 1, 1962; the place of use is within the SW¹/₄ NE¹/₄ Sec 25 T3S R6E.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Mountain Home News on February 9, 1978 and February 16, 1978.

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 9 day

of Feb, 1978, and

the last publication having been made on the

16 day of Feb

1978; 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 16

day of Feb, 1978

[Signature]

Notary Public

OK
2-17-78
RECEIVED

FEB 17 1978

Department of Water Resources
Western Regional Office

MICKURILLI

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

RECEIVED
JUN 11 1978
Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that EDWARD E. TUELLER (name of claimant)
of 19 Kenmar Way, Burlingame, California 94010, claims a right to the diversion and beneficial use of (mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water (name of stream, lake, spring, etc., or ground water) Ground Water
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.
Amount 42 GPM Use Domestic, Yard Irrig Period of Use: From Mar. 1 To Dec. 1
Amount _____ Use _____ Period of Use: From _____ To _____
Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm or a/f) (dom, irri, stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 42 GPM 0.094 cfs cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) July 1, 1962
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ NE ¼, Sec 25 Twp. 3S Rge. 6E 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 Shallow well equipped with pump, motor and pipeline of sufficient capacity to produce 42 gallons per minute

- (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	
3s	6E	25			X														.74

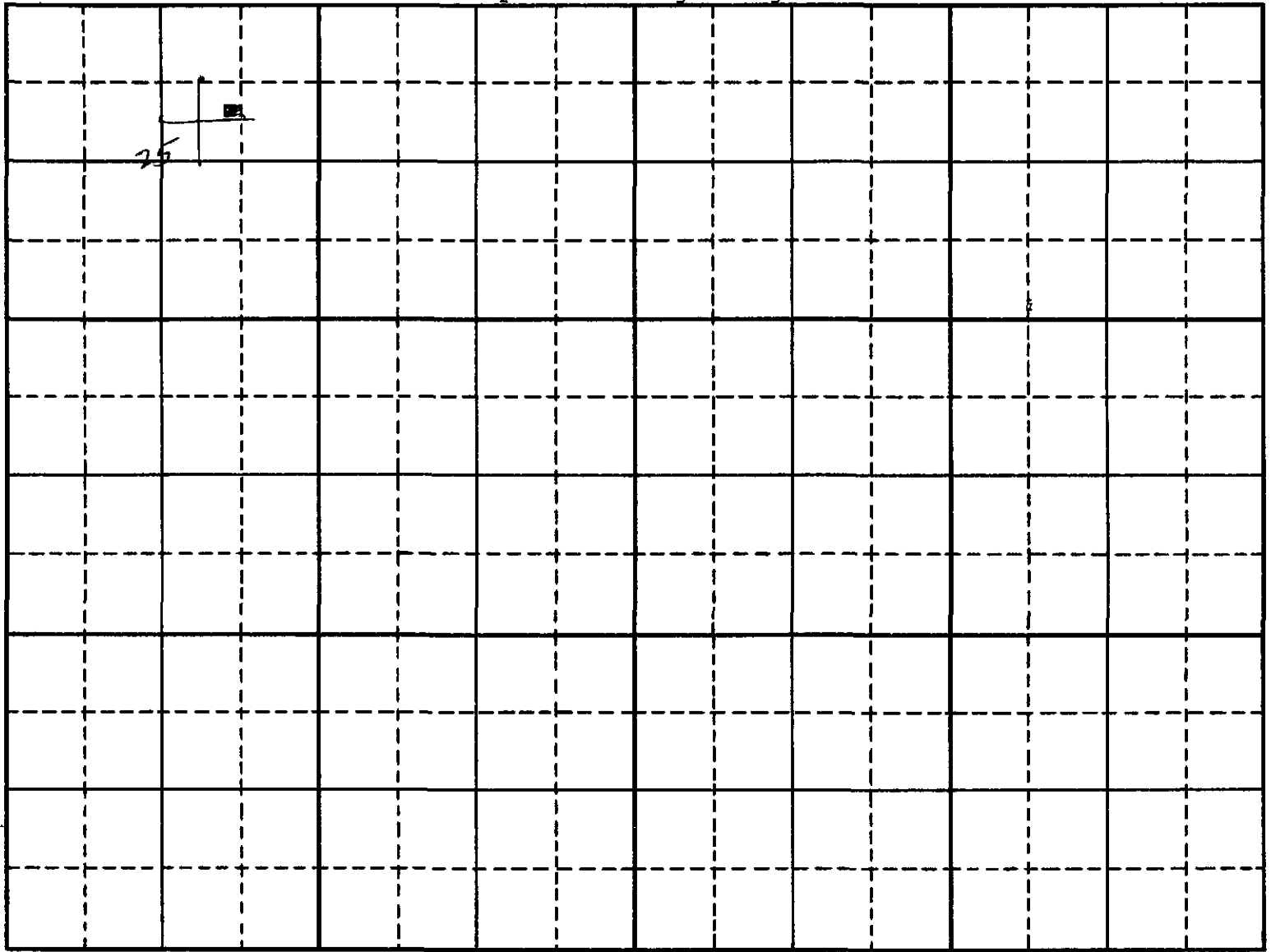
Total No. of acres .74

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

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

Land upon which water is used is described as follows:

- (8) Remarks Commencing 526 feet South of the Northeast corner of
the Southwest Quarter of the Northeast Quarter of Section Twenty-five,
Township Three South, Range Six East, Boise Meridian, and running thence
West 247.5 feet; thence South 131 feet; thence East 247.5 feet; thence
North 131 feet to the point of beginning.



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 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 affiants knowledge.

Sworn to before me this 19th day of January

Edward E. Tuttle
(Claimant)
1978
Notary Public
Residing at Mo. Home, Idaho

My commission expires lifetime

For Department Use Only

Received by <u>BK</u>	Date <u>1-30-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>1-30-78</u>		claimant by:	
\$10.00 fee received by <u>NY</u>	Date <u>1-30-78</u>	# <u>9755</u>		
Approved for publication by <u>D</u>				
Published in <u>Mo. Home News</u>				
Dates <u>2-9-78 + 2-16-78</u>				

Affidavit of Publication

NOTICE OF CLAIM TO A WATER RIGHT NO. 61-4028

Notice is hereby given that Edward E. Tueller 19 Kennar Way Burlingame, CA 94010 has filed a claim to a water right established by diversion and application to beneficial use of 42 gallons per minute of water from a ground-water source with the point of diversion in the SW 1/4 NE 1/4 Sec 25 T38 R3E E.M. County of Elmore. The water is claimed to be used from March 1 to December 1 for domestic and yard irrigation purposes with a priority date of July 1, 1962; the place of use is within the SW 1/4 NE 1/4 Sec 25 T38 R3E. This claim to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director
Published in the Mountain Home News on February 9, 1978 and February 16, 1978.

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 9 day
of Feb., 1978, and
the last publication having been made on the
16 day of Feb.
1978; 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.

Floyd S. Waters

Subscribed and sworn to me this 16

day of Feb., 1978

Wm. J. Waters
Notary Public

OK
2-17-78
M

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 61-4028

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) CLS 1/30/78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) CLS 1/30/78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) rf OK

Affidavit of Publication received(date) 2-17-78

(12) rf _____

Final date for protests _____
Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By CLH Date 2/27/78



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 28, 1978

Re: Claim to a Water Right No. 61-4028

Mr. Edward E. Tueller
19 Kenmar Way
Burlingame, CA 94010

Dear Mr. Tueller:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, 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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS: rf

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 2, 1978

Claim to a water right # 61-4028 Edward E. Tueller

Application for Water Permit #61-7350 Helen S. Lee

Mountain Home News
P.O. Drawer 0
Mountain Home, ID 83647

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before February 27, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
2-17-78
y

NOTICE OF CLAIM TO A WATER RIGHT

NO. 61-4028

Notice is hereby given that Edward E. Tueller

19 Kenmar Way Burlingame, CA 94010

has filed a claim to a water right established by diversion and application
to beneficial use of 42 ~~cubic feet per second~~ ^{gallons per minute} ~~acre feet~~ of water
from a groundwater source

with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 T3S R6E B.M. Conty of Elmore

The water is claimed to be used from March 1 to December 1
for domestic and yard irrigation purposes

with a priority date of July 1, 1962 ;
the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 T3S R6E

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Mountain Home News
on February 9, 1978 and February 16, 1978

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 2, 1978

Hall & Friedly
Attorneys at Law
340 E. 2nd North
Mountain Home, ID 83647

Gentlemen:

Enclosed is your Receipt No. 9755 in the amount of \$ 10.00
for E.E. Tueller's application which was received in
this office on 1-30-78.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

RECEIVED
FEB 14 1978
IDAHO DEPT. OF WATER RESOURCES

RECEIVED

JAN 30 1978

HALL & FRIEDLY
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

Department of Water Resources

PERCE HALL
JAY R. FRIEDLY
DON L. ROBERTS

January 27, 1978

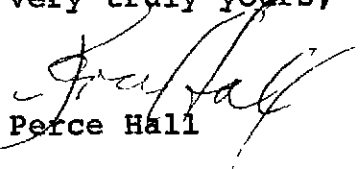
TELEPHONE
(208) 587-4412

Idaho Department of Water Administration
State House
Boise, Idaho

Gentlemen:

In behalf of Edward E. Tueller I am enclosing Claim to Water Right under Idaho Code Section 42-225A. I am also enclosing my check in the amount of \$10 in payment of filing fee.

Very truly yours,


Perce Hall

PH:jd
Enclosure

MICROFILMED