
Well

6 East

Well

35

3 South

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)
) ss.
County of Elmore)

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 22nd day of April

Robert M. Marks
(Claimant)
1 _____, 1977

Notary Public For Idaho
Residing at Mountain Home, Idaho.

My commission expires 6/12/79

For Department Use Only

Received by Wfm Date 4-26-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Wfm Date 4-27-77 claimant by: _____
\$10.00 fee received by lp Date 4-26-77 #7635
Approved for publication by _____
Published in Ntn Home News _____
Dates May 5 & 12 _____

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 61-4024**

Notice is hereby given that ROBERT M. MARKS P. O. Box 32 Mountain Home, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground-water source with the point of diversion in the NE 1/4 NW 1/4 Sec 35 T3S-R6E B.M., Elmore County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority date of April 30, 1972; the place of use is within the NE 1/4 NW 1/4 Sec 35 T3S-R6E B.M.

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, Mountain Home, ID on May 5, 1977 and May 12, 1977.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Water 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 publication having been made on the 5 day of May, 1977, and the last publication having been made on the 12 day of May, 1977; 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. Water

Subscribed and sworn to me this 12 day of May, 1977

James M. Water
Notary Public

RECEIVED
MAY 16 1977

Department of Water Resources
Western Regional Office

MICROFILMED

OK 5/17/77
JED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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 ROBERT M. MARKS
(name of claimant)
of P. O. Box 32, Mountain Home, ID, claims a right to the diversion and beneficial use of
(mailing address) 83647
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
_____, 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	<u>20 gpm</u>	Use	<u>Domestic</u>	Period of Use	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	_____	Use	_____	Period of Use	From	_____	To	_____
Amount	_____	Use	_____	Period of Use	From	_____	To	_____
	(cfs, gpm or a/f)		(dom , irr , stock, etc)					(both dates inclusive)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet
per annum, and/or 20 gallons per minute

(4) Priority claimed: (the date water was first applied to beneficial use) April 30, 1972

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)
NE ¼ NW ¼, Sec 35 Twp. 3 S Rge. 6 E 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. Submersible pump and motor with pipe line and pressure tank. Pump capacity is 20 gpm.

(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	35					X												

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible. Is used for domestic purposes, including lawn irrigation.

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

A hand-drawn map on a grid. A vertical line is labeled "350m". A horizontal line is labeled "6 East". A well is marked with a circle and labeled "well".

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.

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.

Robert M. Marks
(Claimant)
il _____, 1977
Notary Public For Idaho
Residing at Mountain Home, Idaho.

My commission expires 6/12/79

Received by WKM Date 4-26-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim check by WKM Date 4-27-77 claimant by: _____
\$10.00 fee received by lp Date 4-26-77 #7635 _____
Approved for publication by _____
Published in 77th Home News _____
Dates May 5 + 12 _____

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 61-024**

Notice is hereby given that ROBERT M. MARKS P. O. Box 32 Mountain Home, ID has filed a claim to a water right established by application to the beneficial use of 0.04 cubic feet per second of water from a ground-water source with the point of diversion in the NE 1/4 NW 1/4 Sec 35 T33-R02 E.M., Elmore County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority date of April 28, 1976; the place of use is within the NE 1/4 NW 1/4 Sec 35 T33-R02 E.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 22 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Mountain Home News, Mountain Home, ID on May 5, 1977 and May 12, 1977.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Water 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 publication having been made on the 5 day of May, 1977, and the last publication having been made on the 12 day of May, 1977; every Thursday issue of the paper

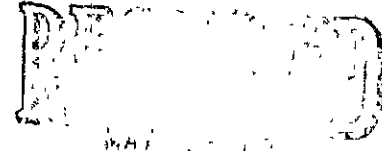
during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

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. Water

Subscribed and sworn to me this 12 day of May, 1977

James M. Water
Notary Public



Director of Water Resources
Western Regional Office

RECORDED
MAY 11 1977
CLERK OF DISTRICT COURT

OK 5/17/77
FSD

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 61-

☒ 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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

(1) WHR 4/20/77

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) WHR 4/20/77

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) WHR OK

Affidavit of Publication received (date) 5-17-77

(12) WHR _____

Final date for protests N/A

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 WHR

Date 5-23-77



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

May 24, 1997

Re: Claim to a Water Right No. 61-4024

Robert M. Marks
P. O. Box 32
Mountain Home, ID 83647

Dear Mr. Marks:

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

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

May 2, 1977

Re: Claim to a Water Right
(Robert M. Marks)

Perce Hall
HALL & FRIEDLY
340 East 2nd North
Mountain Home, ID 83647

Dear Mr. Hall:

Enclosed is your Receipt No. 7635 in the amount of \$ 10.00
for Claim to a water right No. 61-4024 which was received in
this office on April 26, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

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

April 29, 1977

Re: Notice of Claim to a Water Right No. 61-4024 -- Robert M. Marks

Mountain Home News
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 May 23, 1977.

Sincerely,

Bill submitted
5-17-77
y

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 61-4024

Notice is hereby given that ROBERT M. MARKS
P. O. Box 32 Mountain Home, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~XXXXXX~~ feet of water
from a groundwater source
with the point of diversion in the NE1/4 Sec 35 T3S-R6E B.M., Elmore
County.

The water is claimed to be used from Jan 1 to Dec 31
for domestic purposes

with a priority date of April 30, 1972;
the place of use is within the NE1/4 Sec 35 T3S-R6E B.M.

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, Mountain Home, ID
on A May 5, 1977 and May 12, 1977.

MICROFILMED

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

PERCE HALL
JAY R. FRIEDLY

April 25, 1977

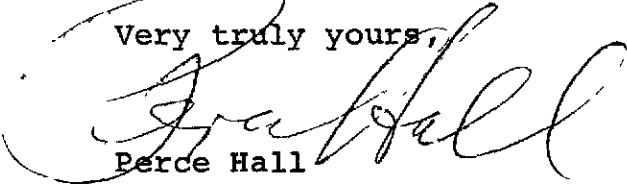
TELEPHONE
(208) 587-4412

Idaho Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83705

Gentlemen:

In behalf of Robert M. Marks I am enclosing claim to a water right to be filed in your office, together with my check in the amount of \$10.00 to pay your filing fee.

Very truly yours,


Perce Hall

PH:dm

Enclosure

RECEIVED
MAY 1 1977