

34

Point of diversion & place of use

T. 35

R.E.B.M.

Received by RWH Date 4-28-76 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by RWH Date 4-28-76 claimant by: \_\_\_\_\_  
\$10.00 fee received by RB Date 4-28-1976 # 3754  
Approved for publication by RB 5-17-76 \_\_\_\_\_  
Published in MTN Home News, MTN Home \_\_\_\_\_  
Dates May 6 + 13, 1976 \_\_\_\_\_

RECEIVED

MAY 17 1976

Department of Water Resources

# Affidavit of Publication

## NOTICE OF CLAIM TO A WATER RIGHT No. 51-4007

Notice is hereby given that RONALD L. R. &/or JUDITH A. PETRACEK 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 from a ground-water source with the point of diversion in the NE 1/4 SE 1/4 Sec. 34 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 of November, 1975; the place of use is within the NE 1/4 SE 1/4 Sec. 34 T3S-R6E B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON  
Director

Published in the Mountain Home News, Mountain Home, ID on May 6, 1976 and May 13, 1976.

OK  
5-17-76  
RB

County of Elmore }  
STATE OF IDAHO } ss.

I, Jim 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 publication having been made on the 6 day of May, 1976, and the last publication having been made on the 13 day of May, 1976...; 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.

Jim M. Waters

Subscribed and sworn to me this 13

day of May, 1976

Linnea E. Grubel  
Notary Public

RECEIVED

(8) Remarks \_\_\_\_\_

34

T.3S

R.F.B.M.

Point of diversion & place of use

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 Ada )

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 28 day of April, 19 76.

Jessith A. Petrac  
(Claimant)

*Rita Gendele*  
Notary Public

Residing at Loise, Md

My commission expires March 8, 1980

## For Department Use Only

Received by \_\_\_\_\_ Date \_\_\_\_\_ Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by \_\_\_\_\_ Date \_\_\_\_\_ claimant by: \_\_\_\_\_  
\$10.00 fee received by RB Date 4-28-1976 # 3754  
Approved for publication by \_\_\_\_\_  
Published in \_\_\_\_\_  
Dates \_\_\_\_\_

## 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 RONALD L. R. &/or JUDITH A. PETRACEK  
(name of claimant)  
of 1555 Highway 51 Mountain Hone, ID, 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) \_\_\_\_\_  
groundwater \_\_\_\_\_, 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>0.04</u>          | Use | <u>Domestic</u>            | Period of Use: | From | <u>1-1</u>        | To | <u>12-31</u>           |
| Amount | <u>          </u>    | Use | <u>          </u>          | Period of Use: | From | <u>          </u> | To | <u>          </u>      |
| Amount | <u>          </u>    | Use | <u>          </u>          | Period of Use: | From | <u>          </u> | To | <u>          </u>      |
|        | (cfs, gpm<br>or a/f) |     | (dom, int,<br>stock, etc ) |                |      |                   |    | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.04 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) 11-1975

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  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 34 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. \_\_\_\_\_

Well pump & pressure system, 6 inch well 500' deep

- (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]

Total No of acres \_\_\_\_\_

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible. Domestic use for one home

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

34

Point of diversion & place of use

T. 3 S

R. & E. B.M.

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.

Received by RWH Date 4-28-76 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
 Prelim check by RWH Date 4-28-76 claimant by: \_\_\_\_\_  
 \$10.00 fee received by RB Date 4-28-1976 # 3754  
 Approved for publication by RB 5-17-76 \_\_\_\_\_  
 Published in MHN Home News MHN Home \_\_\_\_\_  
 Dates May 6 + 13, 1976 \_\_\_\_\_

**NOTICE OF CLAIM TO A  
WATER RIGHT  
No. 51-4097**

Notice is hereby given that RONALD L. R. &/or JUDITH A. PETRACEK 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 from a ground-water source with the point of diversion in the NE 1/4 SE 1/4 Sec. 34 T38 N6E E.M., Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of November, 1975; the place of use is within the NE 1/4 SE 1/4 Sec. 34 T38 N6E E.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

**R. KEITH HIGGINSON**  
Director

Published in the Mountain Home News, Mountain Home, ID on May 1975 and May 13, 1976.

OK  
5-17-76  
RKB

## Affidavit of Publication

County of Elmore }  
STATE OF IDAHO } ss.

I, James 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 publication having been made on the ... 6 ... day of ... May ..., 1976, and the last publication having been made on the ... 13 ... day of ... May ... 1976...; 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.

James M. Waters

Subscribed and sworn to me this 13

day of May 1976

Remona E. Unruh  
Notary Public

3.38 CFS

LT05 (NENH)(41)  
LT04 (NINH)(44)  
LT05 (SMNH)(44)  
SENH(41)  
SM 1005 ROSE

+ 528 HOPE\*

61-7229

08-25-1975 IRRIGATION 04-01 10-31

SENE 528 NENE(40) NUNE(40) PERMIT

BIG D RANCH  
7590 S. TENMILE RD.

1.20 CFS 1025 RO4E SENE(40) SENE(40)

MERIDIAN ID 80842

528 1025 RO4E

RUMFELS SEE RT. 37-7714.

+ 160 HOPE\*

61-7240

09-18-1975 IRRIGATION 04-01 10-31

NESW 506 NESW(43) NUSW(43) PERMIT

JOHNSON, MURRAY A.  
CONNECTICUT GENERAL LIFE INSUR

3.40 CFS 1005 RO5E SWSW(43) SESW(43)

510 SHIMONS TOWER H. 1. 75207

NUSW 506 506 1005 RO5E

1005 RO5E

SWSW 506

1005 RO5E

SWSW 506

1005 RO5E

+ 172 HOPE\*

DOMESTIC 04-01 12-31

.04 CFS

SAME AS OTHER USE

.04 CFS

1.18 CFS  
3.04 CFS

61-7267

11-01-1975 DOMESTIC 04-01 12-31

NESW 504 NUSW 504 1005 RO5E

WELLS, RONALD L.R.  
PETRONE, JUDITH R.

.04 CFS

STAFF CLM

Number on P/a works

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY - 61-4018

Identification No. 151-4007  
 OTd No. New No.

## Record

1. Original Owner: Ronald L. R. & Judith A. Petracek

Present Owner:

2. Address: 1555 Hwy. 51

3. City: Mountain Home State: 10 Zip:

4. A. Source of Water: gw

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 11-1-1975

D. County: 39

E. Total Diversion Rate: .04

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

|                          | Tract | Sec. | Twp. | Rge. | Gov't Lot | Rediv. |
|--------------------------|-------|------|------|------|-----------|--------|
| 6. A. Point of Diversion | NESE  | 34   | 3S   | 6E   |           |        |
|                          |       |      |      |      |           |        |
|                          |       |      |      |      |           |        |
|                          |       |      |      |      |           |        |
|                          |       |      |      |      |           |        |

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for P purposes. Amount .04  
 (cfs or AC-FT/yr)

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

from to for purposes. Amount

8. Use Code: D

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.  
B.  
C.  
D.  
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: \_\_\_\_\_

14. Diversion Means (brief narrative):

Z-63

## CLAIM TO A WATER RIGHT

Notice is hereby given that RONALD L. R. &/or JUDITH A. PETRACEK  
(name of claimant)

The extent and nature of said claim is as follows:

- (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 | Use | Period of Use: From | To |
|--------|-----|---------------------|----|
|--------|-----|---------------------|----|

- (4) Priority claimed: (the date water was first applied to beneficial use) 11-1975

(5) A) Point of diversion: (give location of point where water is diverted from its source)  
NE ¼ SE ¼, Sec. 34 Twp. 3S Rge. 6E B. M. County of Elmore  
 Additional points of diversion: \_\_\_\_\_

Well pump & pressure system, 6 inch well 500' deep

- [illegible]

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

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

BB-  
N

(8) Remarks \_\_\_\_\_

34

Point of diversion & place of use

T. 3 S

R. F. B. M.

**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 Ada )

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 28 day of April, 19 76.

Rita Gendele  
Notary Public  
Residing at Boise, ID

My commission expires March 8, 1940

**For Department Use Only**

|                                   |                       |                           |                    |            |
|-----------------------------------|-----------------------|---------------------------|--------------------|------------|
| Received by _____                 | Date _____            | Exception filed by: _____ | Forwarded to _____ | Date _____ |
| Prelm. check by _____             | Date _____            |                           | claimant by: _____ |            |
| \$10.00 fee received by <u>RB</u> | Date <u>4-28-1976</u> | <u># 3754</u>             |                    |            |
| Approved for publication by _____ | _____                 | _____                     | _____              | _____      |
| Published in _____                | _____                 | _____                     | _____              | _____      |
| Dates _____                       | _____                 | _____                     | _____              | _____      |

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 51-4007

☒ 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) R.W.H. 4-28-76 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
- (4) R.W.H. 4-28-76 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) RB OK Affidavit of Publication received(date) 5-17-76
- (12) \_\_\_\_\_ 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 CK DRT By \_\_\_\_\_ Date \_\_\_\_\_



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

May 24, 1976

Re: Claim to a Water Right No. 51-4007

Ronald L. R. &/or Judith Petracek  
1555 Highway 51  
Mountain Home, ID 83647

Dear Mr. & Mrs. Petracek:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.  
Western District Engineer

LGS:

Enclosure



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

April 29, 1976

Re: Claim to a Water Right No. 51-4007 - Ronald & Judith Petracek  
Notice of Correation for Permit No. 61-7263 - Robert & Betty Osborn

Mountain Home News  
Drawer O  
Mountain, Home, ID 83647

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill submitted  
5-17-76  
RB

NOTICE OF CLAIM TO A WATER RIGHT

No. 51-4007

Notice is hereby given that RONALD L. R. &/or JUDITH A. PETRACEK  
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 ~~surface of water~~  
from a groundwater source  
with the point of diversion in the NE1/4 Sec 34 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 of November, 1975;  
the place of use is within the NE1/4 Sec 34 T3S-R6E B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, ID  
on May 6, 1976 and May 13, 1976.



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

April 29, 1976

Mrs. Ronald Petracek  
1555 Highway 51  
Mountain Home, ID 83647

Dear Mrs. Petracek:

Enclosed is your Receipt No. 3754 in the amount of \$ 10.00  
for Claim to a Water Right which was received in this  
office on April 28, 1976.

Sincerely,

RITA BENDELE  
Senior Clerk

RB

Enclosure