

RECEIVED

1972

Department of Water Administration

Affidavit of Publication

NOTICE OF CLAIM TO A WATER RIGHT No. 61-4009

Notice is hereby given that FAN SCHROCK, Star Route, Box No. 58, Hammett, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a ground water source with point of diversion in the NE 1/4 SE 1/4, Sec. 35, T. 5S, R. 8E, B. M., Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with the NE 1/4 SE 1/4, Sec. 35, T. 5S, R. 8E, B. M. with a priority of Jan. 1, 1964.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on July 27, 1972 and August 3, 1972.

O-X-
mp
8-10-72

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 publication having been made on the 27 ... day

of July ..., 1972; and the last publication having been made on the

... 3 ... day of August ... 1972; 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.

Lloyd S. Waters

Subscribed and sworn to me this 3 ... day of August ..., 1972

Union Dr. Waters
Notary Public

NOTICE OF CLAIM
TO A WATER RIGHT
No. 61-4009

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 5S, R. 8E, B. M. with a priority of Jan. 1, 1964.

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R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on July 27, 1972 and August 3, 1972.

61 4009

Called
7-27-72
MP

Identification No. _____

Claim No. 61-4009

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant FAN SCHROCK
post office address STAR RT BOX 58 HAMMETT, IDAHO
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 35 Township 5 SOUTH
Range 8 EAST B.M. located on GROUND
(name of source)

tributary to _____ in _____ County.

3. Dates of priority claimed list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

JAN 1, 1964 amount: .03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use DOMESTIC period of use from 1-1 to 12-31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate. material is composed of _____
_____ ; length is _____ feet, height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

WELL PUMP & ELECTRIC MOTOR

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is 63 feet; diameter of well is 6 inches; type of pump is 1 HORSE JACK 331
capacity of pump is _____ g.p.m. , name and address of well driller is _____

attach well logs if available, has there been any change in pump or motor since well was first completed _____, if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet, depth of water is _____ feet, grade of ditch per 1000 feet is _____ feet, material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet, diameter of pipe line is _____ inches, type of pipe _____, grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet, active capacity of reservoir is _____ acre feet,
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered ✓ None

7. Where water is used for domestic or municipal purposes give number of families served ✓ 1
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion Be as specific as possible, giving dates and quantities _____

9. Remarks. please explain any details of your claim which you feel need clarification or additional explanation _____

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 22nd day of June, 1972

Mrs. Fran Schrock
Claimant

H. H. Israel
Notary Public

Residing at Intir. Home, Idaho.

My commission expires 11-1-74

For Department Use Only

Received by <u>[Signature]</u>	Date <u>6-26-72</u>	Exception filed by	Forwarded to claimant by:	Date
Prelim. check by <u>[Signature]</u>	Date <u>7-12-72</u>			
Fee received by <u>[Signature]</u>	Date <u>7-12-72</u>	Fee <u>\$10.00</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Elmore News</u>	Dates <u>7/27 & 7/29</u>		<u>61</u>	<u>40.9</u>

I N S T R U C T I O N S

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example. if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed.	May 18, 1871	amount.	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount.	0.4 c.f.s. or	_____	acre feet
	Total claimed.		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive) If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 61-4009**

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on July 27, 1972 and August 3, 1972.

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 publication having been made on the 27.... day of July....., 1972, and the last publication having been made on the 3 day of August.... 1972..; 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.

Lloyd S. Waters

Subscribed and sworn to me this 3.....

day of August....., 1972

Union J. Waters
Notary Public

Western District Office

August 15, 1972

RE: CLAIM TO A WATER RIGHT NO. 61-4009

C Mrs. Fan Schrock
Star Route, Box #58
Hammett, Idaho 83627

Dear Mrs. Schrock:

O The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

P As you are aware, the filing of your claims 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.

P 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

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

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

61 4009

July 19, 1972

Re: Claim to a Water Right No. 61-4009 - Fan Schröck
Application for Permit No. 61-7118 - Ralph Crosley
61-7119 - Bernard L. &/or Norma Jean Brown
61-7120 - Joseph Twitchell

The Mountain Home News
Post Office Drawer 0
Mountain Home, Idaho 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 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)

Very truly yours,

Dorian T. Clay
Water Resource Examiner
Western District

Bill submitted _____ by _____

DC:CS

Enc: Legal Notices (4)

61 4009

NOTICE OF CLAIM TO A WATER RIGHT

No. 61-4009

Notice is hereby given that FAN SCHROCK Star Route Box #58

Hammett, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second ~~some feet~~ of water from a ground water source

with point of diversion in the NELSEL, Sec. 35, T. 58, R. 8E, B.M.

Elmore County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes within the NELSEL, Sec. 35, T. 5S, R. 8E, B.M.
with a priority of Jan. 1, 1964;

~~the place of use is within the~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, xxxxxx before .

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, Idaho
on July 27, 1972 and August 3, 1972.

61 4009

**NOTICE OF CLAIM
TO A WATER RIGHT**

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the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 5S,
R. 8E, B. M., Elmore County.

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NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 5S, R.
8E, B. M. with a priority of
Jan. 1, 1964.

Any exception to this claim
of water right may be filed with
the Idaho Department of Water
Administration, State House,
Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

RECEIVED
JAN 1 1964

61 4099

Called
11-27-72
MPO

July 14, 1972

Re: Claim to a Water Right No. 61-4009

C
Mrs. Fan Schrock
Star Route
Post Office Box #58
Hammett, Idaho

C
Dear Mrs. Schrock:

Attached herewith is your Receipt No. 9769, in the amount of \$10.00, received in this office on July 12, 1972, in payment of the filing fee for the above referenced claim to a water right.

P
If we may be of any further assistance to you, please do not hesitate to contact this Department.

Sincerely,

Y
Dorian Clay
Water Resource Examiner
Western District

DC:CS

Enc: Receipt #9761 (\$10.00)

61 4009